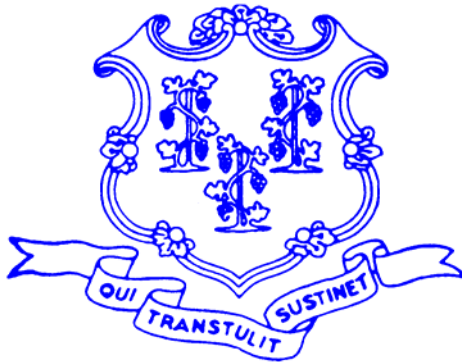


**State of Connecticut**  
**Building Code Enforcement**  
**Pre-Licensure Program**



# Application

Department of Public Safety  
Division of Fire, Emergency & Building Services  
Office of State Building Inspector  
Office of Education & Data Management  
1111 Country Club Road  
Middletown, Connecticut 06457

TELEPHONE: (860) 685-8912 / 8330  
FAX: (860) 685-8611

WEBSITE: [www.ct.gov/dps](http://www.ct.gov/dps)

This Program is made possible through the Code Training and Education Fund.  
Revenue for the fund comes from assessments on building permits.



**STATE OF CONNECTICUT**  
**DEPARTMENT OF PUBLIC SAFETY**  
**DIVISION OF FIRE, EMERGENCY AND BUILDING SERVICES**

**TO:** Applicant for the Pre-Licensure Program

**FROM:** Office of Education and Data Management

**SUBJECT:** **Building Code Enforcement**  
**Pre-Licensure Program Application**

This information has been developed by the Department of Public Safety Division of Fire, Emergency and Building Services, Office of Education and Data Management, to provide definitions, application and regulations for the building code enforcement pre-licensure program.

The pre-licensure program was developed to assist qualified candidates in examination preparation. This program is made possible through the Code Training and Education Fund.

Satisfactory completion of all required modules, maintaining a passing cumulative grade-point average for the licensure classification, and, obtaining a passing score on the final examination shall be required prior to issuance of a license.

**DAY PROGRAM** - **APPLICATION DEADLINE: AUGUST 7, 2008**

**Training Program Dates: September 3 – February 25, 2009**

**Classes are held three days per week, Mondays, Wednesdays and Fridays, from 8:30 a.m. through 3:30 p.m. Classes are not scheduled on Holidays.**

(Subject to change for inclement weather.)

Please type or print the application clearly in its entirety; any missing information may result in delays or prevent admittance to the pre-licensure program. **Mail only** the completed **Application Form** and any required documentation to:

CT Department of Public Safety  
Office of Education and Data Management, 3-C  
1111 Country Club Road  
Middletown, CT 06457-2389  
**Attention: Licensure Application Section**

If there are any questions, please contact the Office of Education and Data Management at (860) 685-8912 / 8330.



**STATE OF CONNECTICUT**  
DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF FIRE, EMERGENCY AND BUILDING SERVICES

**Building Code Enforcement Pre-Licensure Program**

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## **INTRODUCTION**

The Office of Education & Data Management in cooperation with the Office of the State Building Inspector is responsible for the administration of the Building Code Official Licensure. This includes the administration of the licensure examination and training process for Building Officials, Assistant Building Officials and all other classifications of building code enforcement licensure.

The following licensure information and application form are provided to assist individuals interested in becoming licensed in the State of Connecticut under one of the following nine classifications:

Building Official  
Assistant Building Official  
Residential Building Inspector  
Plan Review Technician  
Mechanical Inspector  
Electrical Inspector  
Plumbing Inspector  
Heating & Cooling Inspector  
Construction Inspector

## **OVERVIEW OF REQUIREMENTS**

The requirements for Building Code Enforcement Licensure are established under the Connecticut General Statutes 29-262 and the Department of Public Safety's Administrative Regulations.

The Office of Education & Data Management has developed a pre-licensure training program to assist qualified candidates in licensure examination preparation.

Individuals should complete the enclosed application for the Pre-Licensure training program with examination and submit it to the Office of Education and Data Management prior to the application deadline in order to be considered for the pre-licensure program. Program information, application and schedules are also included in this package.

## **APPLICATION PROCESS**

### **FORMS**

An application form must be submitted to the Office of Education & Data Management. Municipal employees meeting the requirements for Building Code Enforcement Licensure will be given preference for admittance into the pre-licensure program. The State Building Inspector and the Director of Education & Data Management will be the final decision-makers on admittance into the program.

### **ACCEPTANCE LETTER**

Applicants accepted into the program will receive a written letter of acceptance from the Office of Education and Data Management. This letter will include the individual's identification number, registration information, class dates and times with directions to class facilities.

Building Code Enforcement Pre-Licensure Program										
PROGRAMS		# DAYS FOR LICENSE CATEGORY								
2003 INTERNATIONAL BUILDING CODE SECTION										
Session #	Program Course Title	BO	ABO	PRT	RBI	MI	EI	CI	PI	HCI
1-112	Basics Of Inspection & Administration	3	3	3	3	3	3	3	3	3
1-103	IBC Fundamentals	2	2	2				2		
1-104	Fire Protection Systems	2	2	2		2			2	
1-105	Means Of Egress	1	1	1				1		
1-106	Accessibility	2	2							
1-107	Non-Structural Plan Review	3	3	3				3		
1-108	Structural Inspection	3	3	3				3		
1-109	Special Inspections	1	1					1		
1-110	IEBC & Chapter 34 Of The IBC	2	2	2				2		
Total Building Section days = 19		19	19	16	3	5	3	15	5	3
2003 INTERNATIONAL RESIDENTIAL CODE Section										
1-201	State Building Code, IRC Administration	1	1	1	1	1	1	1	1	1
1-202	IRC Fundamentals	2	2	2	2			2		
1-203	IRC Mechanical Inspection	3	3		3	3				3
1-204	IRC Plumbing Inspection	3	3		3	3			3	
1-205	Introduction to IRC Electrical Inspection	2	2	2	2		2			
1-206	IRC Electrical Inspection	4	4	4	4		4			
1-207	IRC Plan Review	2	2	2	2			2		
1-208	IRC Inspection Techniques	3	3		3			3		
Total Residential Section days = 20		20	20	11	20	7	7	8	4	4
2003 INTERNATIONAL MECHANICAL CODE SECTION										
1-301	International Mechanical Code	2	2	2		2				2
1-302	International Residential Mechanical Inspection	1	1			1				1
Total Mechanical Section days = 3		3	3	2	0	3	0	0	0	3
2003 INTERNATIONAL PLUMBING CODE Section										
1-401	International Plumbing Code	2	2	2		2			2	
1-402	Plumbing Code Inspection Techniques	1	1			1			1	
Total Plumbing Section days = 3		3	3	2	0	3	0	0	3	0

<b>2005 NATIONAL ELECTRICAL CODE SECTION</b>										
1-501	National Electrical Code, Part 1	4	4	4	4		4			
1-502	National Electrical Code, Part 2	2	2	2			2			
1-503	Electrical Plan Review	2	2	2			2			
<b>Total Electrical Section days = 8</b>		<b>8</b>	<b>8</b>	<b>8</b>	<b>4</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2003 OTHER INTERNATIONAL CODE SECTION</b>										
1-601	International Energy Conservation Code	2	2	2	2	2	2	2	2	2
<b>Maximum Other Code Section days = 2</b>		<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>
<b>TOTAL PROGRAM DAYS MAXIMUM OF = 55</b>		<b>55</b>	<b>55</b>	<b>40</b>	<b>29</b>	<b>20</b>	<b>20</b>	<b>25</b>	<b>14</b>	<b>12</b>

## COURSE DESCRIPTIONS

<b>Building Module</b> is based on the 2003 International Building Code portion of the State Building Code		
SESSION #	DAYS	MODULE COURSE DESCRIPTION
1-112	3	<b>Basics of Inspection &amp; Administration</b> ICC (Basic Code Enforcement) this session is an introduction to the technical aspects of code enforcement and chapter 1 administration with the CT Supplement
1-103	2	<b>Fundamentals of the (IBC)</b> this session is an overview and introduction to provide a firm base for correct use and application of the IBC , Chapter 2 - 8
1-104	2	<b>Fire Protection System</b> session helps participants understand the requirements contained in Chapter 9 and other applicable sections of the 2003 International Building Code relating to fire protection systems. (Sprinkler & Alarms)
1-105	1	<b>Means of Egress Problems in Commercial Structures</b> (ICC) provides participants an opportunity to apply their knowledge about egress and develop their problem solving skills using construction documents and problem scenarios. IBC application Chapter 10.
1-106	2	<b>Accessibility</b> explains the IBC Chapter 11 and ANSI standards which enable people with disabilities to use buildings of all types.
1-107	3	<b>Nonstructural Plan Review</b> session provides step by step procedures for reviewing construction documents for compliance with code.
1-108	3	<b>Structural Inspection</b> session presents the ICC method for reviewing construction documents for compliance with code. IBC Chapters 16, 18, 19.
1-109	1	<b>Special Inspections</b> presents the ICC procedures for the special inspection program in a step by step process. IBC Chapter 17.
1-110	2	<b>IEBC &amp; Chapter 34 of the IBC</b> provides a step by step application for the building official for application and enforcement.

<b>Residential Module</b> is based on the 2003 International Residential Code portion of the State Building Code		
SESSION #	DAYS	MODULE COURSE DESCRIPTION
1-201	1	<b>State Building Code and the ICC 2003 International Residential Code (IRC)</b> This session is an introduction to the State Building Code focusing on the ICC 2003 International Residential code. This module is delivered to all Code Enforcement Disciplines.
1-202	2	<b>Fundamentals of the IRC</b> this session is an overview and introduction to provide a firm base for correct use and application of the IRC
1-203	3	<b>IRC Mechanical Inspection</b> explains the tasks performed by a residential <u>mechanical</u> inspector to verify that a one and two family dwelling complies with code.
1-204	3	<b>IRC Plumbing Inspection</b> explains the tasks performed by a residential <u>plumbing</u> inspector to verify that a one and two family dwelling complies with code.
1-205	2	<b>Introduction to Residential Electrical Inspection</b> explains and identifies basic electrical terminology based upon the 2005 National Electrical Code (NEC) and the 2003 IRC necessary to initiate basic <u>electrical</u> inspection of one & two family dwellings.
1-206	4	<b>Residential Electrical Inspection</b> based on Part VIII of the 2003 International Residential Code that explains the installation and inspection of <u>electrical</u> systems in new one and two family dwellings.
1-207	2	<b>Residential Plan Review</b> provides a procedure for reviewing residential building plans and specifications.
1-208	3	<b>Performing IRC Building Inspection</b> provides step-by-step procedures to follow when conducting residential building inspection.



<b>MECHANICAL Module</b> is based on the 2003 International Mechanical Code (IMC) portion of the State Building Code		
SESSION #	DAYS	MODULE COURSE DESCRIPTIONS
1-301	2	<b>Overview - International Mechanical Code 2003</b> assists code officials in locating, describing and applying code requirements of the IMC to determine compliance or noncompliance
1-302	1	<b>Mechanical Inspection II (advanced applications of the IMC)</b> describes code requirements for mechanical inspection tasks according to the 2003 International Mechanical Code. Applying checklists to drawing installations practices inspection tasks and steps.

<b>PLUMBING Module</b> is based on the 2003 International Plumbing Code (IPC) portion of the State Building Code		
SESSION #	DAYS	MODULE COURSE DESCRIPTIONS
1-401	2	<b>Overview - International Plumbing Code 2003</b> assists code officials in locating, describing and applying code requirements of the 2003 International Plumbing Code to determine compliance or noncompliance.
1-402	1	<b>Plumbing Installations Based on the 2003 IPC</b> provides step-by-step procedures performed when conducting plumbing inspection to determine compliance with the 2003 International Plumbing Code.

<b>2005 NATIONAL ELECTRICAL CODE Module</b> based upon <b>2005 NFPA 70</b>		
Session #	Days	MODULE COURSE DESCRIPTIONS
1-501	4	<b>National Electrical Code 2005 Part I</b> is based upon the 2005 NEC and explains the installation requirements for electrical wiring, protection, methods and materials in new and existing structures.
1-502	2	<b>National Electrical Code 2005 Part II</b> is based upon the 2005 NEC and explains the installation requirements for electrical equipment for special occupancies, special equipment, special conditions and communication systems in new and existing structures.
1-503	2	<b>Electrical Plan Review</b> teaches basic methods for reviewing construction documents for compliance with the electrical requirements of the 2005 NEC

<b>2006 INTERNATIONAL ENERGY CONSERVATION CODE</b>		
SESSION #	DAYS	MODULE COURSE DESCRIPTIONS
1-601	2	<b>International Energy Conservation Code 2006</b> provides a chapter by chapter explanation of application of the (IECC) from Residential and Commercial applications. Including a look at the use of REScheck & COMcheck software.



STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC SAFETY  
Division of Fire, Emergency and Building Services  
Office of Education & Data Management



Application Page 1 of 6

**BCEO PRE-LICENSURE APPLICATION SECTION**

1111 COUNTRY CLUB RD.

MIDDLETOWN, CT 06457-2389

TELEPHONE: (860) 685-8912 / 8330

FAX: (860) 685-8611

WEBSITE: www.ct.gov/dps

**FOR OFFICE USE ONLY**

**APPLICATION FOR BUILDING CODE ENFORCEMENT LICENSURE**

**Check One:**

- ☐ PRE-LICENSURE TRAINING PROGRAM WITH EXAMINATION.  
☐ LICENSURE EXAMINATION PROCESS ONLY.

PLEASE TYPE OR PRINT CLEARLY. COMPLETE APPLICATION IN ITS ENTIRETY. ANY MISSING INFORMATION MAY RESULT IN DELAYS/DENIAL OF ADMITTANCE TO THE BUILDING CODE ENFORCEMENT LICENSURE EXAMINATION OR PRE-LICENSURE TRAINING PROGRAM. RETURN COMPLETED APPLICATION TO THE ABOVE ADDRESS.

Section 1-217 of the Connecticut General Statutes exempts the residential addresses of a number of occupational categories from release to the public under the Freedom of Information Act. Such categories include, but are not limited to, police officers, firefighters and employees of the Department of Correction. If you believe that your residential address is exempt under this law, please make a check mark in the box: ☐

LEGAL LAST NAME OF APPLICANT	FIRST NAME	MIDDLE INITIAL	APPLICATION DATE
HOME ADDRESS	TOWN	STATE	ZIP CODE
ID#: _____ - _____ Example: <u>ABC</u> - <u>1234</u> Your ID # is the First 3 Letters of Your Last Name and the Last 4 Digits of Your SS #.		DATE OF BIRTH: Month / Day / Year	
<u>DAY</u> PHONE NUMBER / EXTENSION		BUSINESS PHONE NUMBER / EXTENSION	
HOME PHONE NUMBER		FAX NUMBER	
CELL PHONE / PAGER NUMBER		E – MAIL ADDRESS - Please type or print clearly	

**LICENSURE APPLYING FOR:** (Check only one per Application)

☐ BUILDING OFFICIAL

☐ **PROVISIONAL BUILDING OFFICIAL** Check here only if you are to be appointed as a **Provisional** Building Official. Attach a letter from the appointing authority stating the date to be appointed as "Provisional Building Official."

☐ ASSISTANT BUILDING OFFICIAL

☐ MECHANICAL INSPECTOR (Includes Plumbing, Heating & Cooling)

☐ RESIDENTIAL BUILDING INSPECTOR

☐ PLUMBING INSPECTOR

☐ PLAN REVIEW TECHNICIAN

☐ HEATING AND COOLING INSPECTOR

☐ ELECTRICAL INSPECTOR

☐ CONSTRUCTION INSPECTOR

**EDUCATIONAL BACKGROUND**

List in this order: High school, college, graduate school, and non-credit, code related courses.

<b>HIGH SCHOOL</b>	NAME OF HIGH SCHOOL			
	ADDRESS	TOWN	STATE	ZIP CODE
	DATES ATTENDED FROM		TO	
	DATE SUCCESSFULLY COMPLETED	DEGREE/CERTIFICATE EARNED		
	IF VOCATIONAL /TECHNICAL SCHOOL, NAME THE DISCIPLINE (i.e. PLUMBING, ELECTRICAL)			

<b>COLLEGE</b>	NAME OF COLLEGE			
	ADDRESS	TOWN	STATE	ZIP CODE
	DATES ATTENDED FROM		TO	
	DATE SUCCESSFULLY COMPLETED	DEGREE/CERTIFICATE EARNED (EXAMPLE: CIVIL ENGINEERING)		

<b>GRADUATE SCHOOL</b>	NAME OF GRADUATE SCHOOL			
	ADDRESS	TOWN	STATE	ZIP CODE
	DATES ATTENDED FROM		TO	
	DATE SUCCESSFULLY COMPLETED	DEGREE/CERTIFICATE EARNED		

<b>CODE RELATED COURSE</b>	NAME OF SCHOOL			
	ADDRESS	TOWN	STATE	ZIP CODE
	DATES ATTENDED FROM		TO	
	DATE SUCCESSFULLY COMPLETED	DEGREE/CERTIFICATE EARNED (EXAMPLE: CARPENTRY)		

<b>CODE RELATED COURSE</b>	NAME OF SCHOOL			
	ADDRESS	TOWN	STATE	ZIP CODE
	DATES ATTENDED FROM		TO	
	DATE SUCCESSFULLY COMPLETED	DEGREE/CERTIFICATE EARNED (EXAMPLE: CARPENTRY)		

NOTE: USE ADDITIONAL SHEETS IF NECESSARY.

**CURRENT CERTIFICATION/LICENSE**

Complete the following if you are currently licensed by this office or registered, licensed or certified as an Architect, Engineer, Contractor, Electrical, HVAC, Plumbing, etc..

**A copy of your license(s) must be attached to the Application.**

TYPE OF LICENSE/CERTIFICATE	NUMBER
STATE	DATE WHEN FIRST ISSUED

TYPE OF LICENSE/CERTIFICATE	NUMBER
STATE	DATE WHEN FIRST ISSUED

TYPE OF LICENSE/CERTIFICATE	NUMBER
STATE	DATE WHEN FIRST ISSUED

HAS LICENSE/CERTIFICATION EVER BEEN SUSPENDED OR REVOKED? <input type="checkbox"/> NO <input type="checkbox"/> YES*	
*IF YES: COMPLETE THE FOLLOWING:	
TYPE OF LICENSE/CERTIFICATE	NUMBER
STATE	DATE SUSPENDED/REVOKED:
IF YES, PLEASE SUPPLY SPECIFIC REASONS:	
<hr/>	

**BUILDING CONSTRUCTION RELATED AFFILIATIONS**

List below organizations, committees, associations, etc., in which you have participated.

NAME OF ORGANIZATION, COMMITTEE, ASSOCIATION	DATES (MO/YR) FROM                      TO
PRINCIPAL ACTIVITIES	
OFFICE HELD	

NAME OF ORGANIZATION, COMMITTEE, ASSOCIATION	DATES (MO/YR) FROM                      TO
PRINCIPAL ACTIVITIES	
OFFICE HELD	

NOTE: USE ADDITIONAL SHEETS IF NECESSARY.

**TECHNICAL EXPERIENCE**

List all **FULL TIME** and **PART TIME** positions held over the last ten years in chronological order with the most recent first. If **PART TIME**, indicate hours worked.

1. OFFICIAL JOB TITLE				DATES OF EMPLOYMENT(MO/YR) FROM TO	
WORK <b>YOU</b> PERFORMED <input type="checkbox"/> DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> SUPERVISION <input type="checkbox"/> OTHER (SPECIFY):					
HOURS WORKED <input type="checkbox"/> FULL TIME <input type="checkbox"/> PART TIME    IF PART TIME, NUMBER HOURS WORKED PER WEEK:					
EMPLOYER'S BUSINESS NAME		STREET ADDRESS		TOWN	STATE    ZIP CODE
TYPE OF BUSINESS				EMPLOYER'S TELEPHONE NUMBER	
NAME OF IMMEDIATE SUPERVISOR (WHO CAN BE CONTACTED)				SUPERVISOR'S TELEPHONE NUMBER	
IMMEDIATE SUPERVISOR'S ADDRESS				TOWN	STATE    ZIP CODE
DESCRIBE DUTIES PERFORMED BY YOU - <b><u>IN DETAIL</u></b>					

2. OFFICIAL JOB TITLE				DATES OF EMPLOYMENT(MO/YR) FROM TO	
WORK <b>YOU</b> PERFORMED <input type="checkbox"/> DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> SUPERVISION <input type="checkbox"/> OTHER (SPECIFY):					
HOURS WORKED <input type="checkbox"/> FULL TIME <input type="checkbox"/> PART TIME    IF PART TIME, NUMBER HOURS WORKED PER WEEK:					
EMPLOYER'S BUSINESS NAME		STREET ADDRESS		TOWN	STATE    ZIP CODE
TYPE OF BUSINESS				EMPLOYER'S TELEPHONE NUMBER	
NAME OF IMMEDIATE SUPERVISOR (WHO CAN BE CONTACTED)				SUPERVISOR'S TELEPHONE NUMBER	
IMMEDIATE SUPERVISOR'S ADDRESS				TOWN	STATE    ZIP CODE
DESCRIBE DUTIES PERFORMED BY YOU - <b><u>IN DETAIL</u></b>					

NOTE: USE ADDITIONAL SHEETS IF NECESSARY.

**TECHNICAL EXPERIENCE**

List all **FULL TIME** and **PART TIME** positions held over the last ten years in chronological order with the most recent first. If **PART TIME**, indicate hours worked.

3. OFFICIAL JOB TITLE			DATES OF EMPLOYMENT(MO/YR) FROM TO		
WORK <b>YOU</b> PERFORMED <input type="checkbox"/> DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> SUPERVISION <input type="checkbox"/> OTHER (SPECIFY):					
HOURS WORKED <input type="checkbox"/> FULL TIME <input type="checkbox"/> PART TIME    IF PART TIME, NUMBER HOURS WORKED PER WEEK:					
EMPLOYER'S BUSINESS NAME		STREET ADDRESS		TOWN	STATE    ZIP CODE
TYPE OF BUSINESS				EMPLOYER'S TELEPHONE NUMBER	
NAME OF IMMEDIATE SUPERVISOR (WHO CAN BE CONTACTED)				SUPERVISOR'S TELEPHONE NUMBER	
IMMEDIATE SUPERVISOR'S ADDRESS				TOWN	STATE    ZIP CODE
DESCRIBE DUTIES PERFORMED BY YOU – <b><u>IN DETAIL</u></b>					

4. OFFICIAL JOB TITLE			DATES OF EMPLOYMENT(MO/YR) FROM TO		
WORK <b>YOU</b> PERFORMED <input type="checkbox"/> DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> SUPERVISION <input type="checkbox"/> OTHER (SPECIFY):					
HOURS WORKED <input type="checkbox"/> FULL TIME <input type="checkbox"/> PART TIME    IF PART TIME, NUMBER HOURS WORKED PER WEEK:					
EMPLOYER'S BUSINESS NAME		STREET ADDRESS		TOWN	STATE    ZIP CODE
TYPE OF BUSINESS				EMPLOYER'S TELEPHONE NUMBER	
NAME OF IMMEDIATE SUPERVISOR (WHO CAN BE CONTACTED)				SUPERVISOR'S TELEPHONE NUMBER	
IMMEDIATE SUPERVISOR'S ADDRESS				TOWN	STATE    ZIP CODE
DESCRIBE DUTIES PERFORMED BY YOU – <b><u>IN DETAIL</u></b>					

NOTE: USE ADDITIONAL SHEETS IF NECESSARY.

**REFERENCES**

**List the names of three (3) persons familiar with your educational background and/or experience and who are associated with the construction industry and are not related to you. Do not name a member of the Codes and Standards Committee or the State Building Inspector.**

NAME		TELEPHONE NUMBER	
ADDRESS	TOWN	STATE	ZIP CODE
RELATION TO APPLICANT: <input type="checkbox"/> EDUCATION <input type="checkbox"/> BUSINESS <input type="checkbox"/> OTHER (SPECIFY)			

NAME		TELEPHONE NUMBER	
ADDRESS	TOWN	STATE	ZIP CODE
RELATION TO APPLICANT: <input type="checkbox"/> EDUCATION <input type="checkbox"/> BUSINESS <input type="checkbox"/> OTHER (SPECIFY)			

NAME		TELEPHONE NUMBER	
ADDRESS	TOWN	STATE	ZIP CODE
RELATION TO APPLICANT: <input type="checkbox"/> EDUCATION <input type="checkbox"/> BUSINESS <input type="checkbox"/> OTHER (SPECIFY)			

**AFFIDAVIT**

I certify that, to the best of my knowledge and belief, the foregoing statements are true and made in good faith.

---

Applicant's Signature

---

Date

BCEO APP



**Building Code Enforcement Pre-Licensure Program**

**APPLICANT CHECKLIST**

**Note:** *To ensure that you have completed all of the required forms please use this checklist.*

<b>✓ APPLICATION FORM</b>	
	<b>Completed six-page Application in its Entirety</b>
	<b>Signed Application</b>
	<b>Attached Copies of Current Certifications and Licenses</b>
	<b>Mailed to: CT Department of Public Safety Office of Education and Data Management, 3-C 1111 Country Club Road Middletown, CT 06457-2389 <u>Attention: Licensure Application Section</u></b>

**Note:** **Keep Packet and copies of submittals for your reference.**



**Connecticut General Statutes – Section 29-261**  
**Qualifications for**  
**Building Officials and Assistant Building Officials**

Section 29-261, of the Connecticut General Statutes, pertains to the minimum qualifications of building officials and assistant building officials. The following excerpt of the statute is provided for your convenience.

Sec. 29-261. (Formerly Sec. 19-397). Qualifications of building official and assistant building officials. Powers and duties. Return of building plans and specifications.

- (a) The building official, to be eligible for appointment, shall have had at least five years' experience in construction, design or supervision and assistant building officials shall have had at least three years' experience in construction, design or supervision, or equivalent experience as determined by the Commissioner of Public Safety. They shall be generally informed on the quality and strength of building materials, on the accepted requirements of building construction, on the accepted requirements of design and construction relating to accessibility to and use of buildings by the physically disabled, on good practice in fire prevention, on the accepted requirements regarding light and ventilation, on the accepted requirements for safe exit facilities and on other items of equipment essential for the safety, comfort and convenience of occupants and shall be certified under the provisions of section 29-262.

*CGS Revised to January 1, 2005*

**DEPARTMENT OF PUBLIC SAFETY**  
**REGULATIONS REGARDING BUILDING OFFICIAL LICENSURE**

**Sec. 29-262-1b.      Classes of licensure**

**The classes of licensure are as follows:**

- (1) Building official;
- (2) Assistant building official;
- (3) Residential building inspector;
- (4) Plan review technician;
- (5) Mechanical inspector;
- (6) Electrical inspector;
- (7) Plumbing inspector;
- (8) Heating and cooling inspector; and
- (9) Construction inspector.

*Adopted effective March 27, 2003.*

**Sec. 29-262-2b.      Building official duties, minimum qualifications and continuing education requirement**

- (a) The duties and minimum qualifications of a building official are as set forth in section 29-261 of the Connecticut General Statutes.
- (b) [Continuing education requirements applicable to a building official are as set forth in subsection (b) of section 29-262 of the Connecticut General Statutes.] EACH BUILDING OFFICIAL SHALL ATTEND A MINIMUM OF NINETY (90) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

**Sec. 29-262-3b.      Provisional building official appointments**

- (a) The duties of a provisional building official are as set forth in subsection (a) of section 29-262 of the Connecticut General Statutes.
- (b) **The minimum qualifications that shall be demonstrated prior to appointment as a provisional building official are as follows:**
  - (1) The appointee shall have had at least five years of experience in construction, design or supervision;
  - (2) The appointee shall be generally informed regarding the quality and strength of building materials;

- (3) The appointee shall be generally informed regarding the accepted requirements of building construction;
  - (4) The appointee shall be generally informed regarding the accepted requirements of design and construction relating to accessibility to and use of buildings by the physically handicapped;
  - (5) The appointee shall be generally informed regarding good practice in fire prevention;
  - (6) The appointee shall be generally informed regarding the accepted requirements for light and ventilation;
  - (7) The appointee shall be generally informed regarding the accepted requirements for safe exit facilities and other items of equipment essential for the safety, comfort and convenience of occupants; and
  - (8) Prior to appointment, a candidate shall have filed an application for licensure as a building official with the state building inspector.
- (b) Not later than ninety (90) days after appointment as a provisional building official, such provisional building official shall have passed the state test for licensure as a building official. In the event that a provisional building official does not become licensed as a building official within the ninety (90) days after appointment as a provisional building official, the provisional appointment shall lapse and the appointee shall be ineligible for reappointment as a provisional building official by the original appointing authority.

*Adopted effective March 27, 2003.*

**Sec. 29-262-4b. Assistant building official duties and minimum qualifications**

- (a) **The duties and minimum qualifications of an assistant building official are as set forth in subsection (a) of section 29-261 of the Connecticut General Statutes.**
- (b) EACH ASSISTANT BUILDING OFFICIAL SHALL ATTEND A MINIMUM OF NINETY (90) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

**Sec. 29-262-5b. Residential building inspector duties and minimum qualifications**

- (a) The residential building inspector performs the following duties under the direction of the building official or the assistant building official:
  - (1) Reviews, analyzes and evaluates preliminary and final construction plans of one- and two-family detached dwellings and one-family townhouses and their accessory structures for compliance with applicable codes adopted as a portion of the State Building Code, referenced standards and other related regulations prior to the issuance of building permits;
  - (2) Passes upon any question relative to the mode, manner of construction or materials to be used in the erection, repair, addition or alteration of one- and two-family detached dwellings and one-family townhouses and their accessory structures pursuant to the provisions of applicable codes adopted as a portion of the State Building Code and in accordance with regulations adopted by the Department of Public Safety;
  - (3) Requires compliance with applicable codes adopted as a portion of the State Building Code; with all regulations lawfully adopted thereunder; and with laws relating to the construction, repair, addition, alteration, removal, demolition, integral equipment, location, use, occupancy and maintenance of one- and two-family detached dwellings and one-family townhouses and their accessory structures, except as may otherwise be provided;
  - (4) Explains applicable codes and standards to contractors, architects, developers, engineers, property owners and other interested parties; and
  - (5) Enforces the correction of violations of applicable codes and standards at the scene of the installation by dealing directly with building owners, agents and contractors to achieve compliance with such codes, referenced standards and other related regulations.
- (b) **The minimum qualifications of a residential building inspector are as follows:**
  - (1) Completion of high school, vocational school or the equivalent;
  - (2) Possession of least five (5) years of experience in the construction, design or supervision of the construction of one- and two-family detached dwellings and one-family townhouses;
  - (3) Be generally informed regarding the quality and strength of building materials, the accepted requirements of building construction, the accepted requirements for light and ventilation, the accepted requirements for safe exit facilities and other items of equipment essential for the safety, comfort and convenience of occupants of one- and two-family detached dwellings and one-family townhouses and their accessory structures; and
  - (4) Demonstration of the following:
    - (A) Ability to read and interpret plans and specifications of one- and two-family detached dwellings and one-family townhouses and their accessory structures;
    - (B) Ability to recognize faulty construction and unsafe conditions in new and existing one- and two-family detached dwellings and one-family townhouses and their accessory structures; and
    - (C) Ability to express oneself clearly and concisely both orally and in writing.
- (c) EACH RESIDENTIAL BUILDING INSPECTOR SHALL ATTEND A MINIMUM OF SIXTY (60) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

**Sec. 29-262-6b. Plan review technician duties and minimum qualifications**

- (a) The plan review technician performs the following duties under the direction of the building official or the assistant building official:
- (1) Reviews, analyzes and evaluates preliminary and final construction plans for compliance with all applicable codes, referenced standards and other related regulations prior to the issuance of building permits;
  - (2) Explains codes and standards to contractors, architects, developers, engineers, property owners and other interested parties;
  - (3) Provides assistance to inspectors for correct interpretation of plans and codes of a difficult and complex nature; and
  - (4) Prepares and maintains reports, records and correspondence relating to the review of plans.
- (b) **The minimum qualifications of a plan review technician are as follows:**
- (1) Completion of high school, vocational school or the equivalent ;
  - (2) Possession of three (3) years of experience in the fields of building construction or code interpretation or enforcement; and
  - (3) Demonstration of the following:
    - (A) Thorough knowledge of applicable codes, referenced standards and other regulations;
    - (B) Ability to read and interpret plans and specifications;
    - (C) Knowledge of building construction materials and the principles, practices and methods of building design;
    - (D) Ability to examine and make recommendations on plans submitted for approval; and
    - (E) Ability to express oneself clearly and concisely, both orally and in writing.
- (c) EACH PLAN REVIEW TECHNICIAN SHALL ATTEND A MINIMUM OF NINETY (90) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

**Sec. 29-262-7b. Mechanical inspector duties and minimum qualifications**

- (a) The mechanical inspector performs the following duties under the direction of the building official or the assistant building official:
- (1) Examines plumbing, heating, refrigeration, ventilation and air conditioning construction documents;
  - (2) Inspects installations; and
  - (3) Enforces correction of violations of plumbing and heating codes at the scene of the installation by dealing directly with building owners, agents and contractors to assure compliance with applicable codes, referenced standards and other related regulations.
- (b) **The minimum qualifications of a mechanical inspector are as follows:**
- (1) Completion of high school, vocational school or the equivalent;
  - (2) Possession of either a valid P-1 "Unlimited Contractor" or P-2 "Unlimited Journeyman" license and either a valid S-1 "Unlimited Contractor" or S-2 "Unlimited Journeyman" license;
  - (3) Maintenance or improvement of the applicable trade license issued pursuant to Chapter 390 of the Connecticut General Statutes during his or her tenure in the position; and
  - (4) Demonstration of the following:
    - (A) Thorough knowledge of materials and methods used in the installation of plumbing, heating, air conditioning and refrigeration installations;
    - (B) Thorough knowledge of the applicable plumbing and mechanical codes, referenced standards and other regulations;
    - (C) Ability to read and interpret plans and specifications;
    - (D) Ability to diagnose violations, hazards, and unsafe or unsanitary conditions caused by faulty materials or poor workmanship in new or existing mechanical installations; and
    - (E) Ability to express oneself clearly and concisely, both orally and in writing.
- (c) EACH MECHANICAL INSPECTOR SHALL ATTEND A MINIMUM OF THIRTY (30) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

**Sec. 29-262-8b. Electrical inspector duties and minimum qualifications**

- (a) The electrical inspector performs the following duties under the direction of the building official or assistant building official:
- (1) Examines electrical and telecommunications construction documents;
  - (2) Inspects installations; and
  - (3) Enforces the correction of violations of the electrical codes at the scene of the installation by dealing directly with building owners, agents, and contractors, to assure compliance with applicable codes, referenced standards and other related regulations.
- (b) **The minimum qualifications of the electrical inspector are as follows:**
- (1) Completion of high school, vocational school or the equivalent;
  - (2) Possession of a valid E-1 "Unlimited Contractor" license or an E-2 "Unlimited Journeyman" license for not less than two (2) years;
  - (3) Maintenance or improvement of the trade license issued pursuant to Chapter 390 of the Connecticut General Statutes during his or her tenure in the position; and
  - (4) Demonstration of the following:
    - (A) Thorough knowledge of the methods, materials and techniques of the electrical trade;
    - (B) Thorough knowledge of applicable codes, referenced standards and other related regulations;
    - (C) Ability to diagnose violations, unsafe conditions and hazards in new and existing electrical installations;
    - (D) Ability to read and interpret plans and specifications; and
    - (E) Ability to express oneself clearly and concisely, both orally and in writing.
- (c) EACH ELECTRICAL INSPECTOR SHALL ATTEND A MINIMUM OF THIRTY (30) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

**Sec. 29-262-9b. Plumbing inspector duties and minimum qualifications**

- (a) The plumbing inspector performs the following duties under the direction of the building official or assistant building official:
- (1) Examines plumbing, piping and fire suppression system construction documents;
  - (2) Inspects installations; and
  - (3) Enforces the correction of violations at the scene of the installation, by dealing directly with building owners, agents and contractors to assure compliance with applicable codes, referenced standards and other related regulations.
- (b) **The minimum qualifications of a plumbing inspector are as follows:**
- (1) Completion of high school, vocational school or the equivalent;
  - (2) Possession of a valid P-1 "Unlimited Contractor" license or a P-2 "Unlimited Journeyman" license for a minimum of two (2) years;
  - (3) Maintenance or improvement of the applicable trade license issued pursuant to Chapter 390 of the Connecticut General Statutes during his or her tenure in the position; and
  - (4) Demonstration of the following:
    - (A) Thorough knowledge of applicable codes, referenced standards and other related regulations;
    - (B) Thorough knowledge of methods, materials and techniques of plumbing installations;
    - (C) Ability to diagnose plumbing code violations, hazards, unsafe conditions and unsanitary conditions in new and existing plumbing installations;
    - (D) Ability to read and interpret plans and specifications; and
    - (E) Ability to express oneself clearly and concisely, both orally and in writing.
- (c) EACH PLUMBING INSPECTOR SHALL ATTEND A MINIMUM OF THIRTY (30) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

**Sec. 29-262-10b. Heating and cooling inspector duties and minimum qualifications**

- (a) The heating and cooling inspector performs the following duties under the direction of the building official or the assistant building official:
- (1) Examines heating, refrigeration, ventilation and air conditioning construction documents;
  - (2) Inspects installations; and
  - (3) Enforces the correction of violations of the heating codes at the scene of the installation by dealing directly with building owners, agents and contractors to assure compliance with applicable codes, referenced standards and other related regulations.
- (b) **The minimum qualifications of a heating and cooling inspector are as follows:**
- (1) Completion of high school, vocational school or the equivalent;
  - (2) Possession of a valid S-1 "Unlimited Contractor" license or an S-2 "Unlimited Journeyman" license for a minimum of two (2) years;
  - (3) Maintenance or improvement of the applicable trade license issued pursuant to Chapter 390 of the Connecticut General Statutes during his or her tenure in the position; and
  - (4) Demonstration of the following:
    - (A) Thorough knowledge of applicable codes, referenced standards and other related regulations;
    - (B) Thorough knowledge of the methods and materials used in the installation of heating, refrigeration, ventilation and air conditioning systems;
    - (C) Knowledge of steam fitting;
    - (D) Ability to read and interpret plans and specifications;
    - (E) Ability to diagnose violations, unsafe conditions, and hazards in new and existing heating and cooling installations; and
    - (F) Ability to express oneself clearly and concisely, both orally and in writing.
- (c) EACH HEATING AND COOLING INSPECTOR SHALL ATTEND A MINIMUM OF THIRTY (30) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

**Sec. 29-262-11b. Construction inspector duties and minimum qualifications**

- (a) The construction inspector performs the following duties under the direction of the building official or the assistant building official:
- (1) Examines documents of building construction, alteration or repair
  - (2) Inspects installations for compliance with applicable code requirements to ensure the safety of the occupants;
  - (3) Investigates for compliance with structural safety requirements; and
  - (4) Recommends to the building official corrective actions associated with the enforcement of unsafe conditions in new and existing installations, where warranted.
- (b) **The minimum qualifications of a construction inspector are as follows:**
- (1) Completion of high school, vocational school or the equivalent;
  - (2) Possession of three (3) years of experience in building construction; and
  - (3) Demonstration of the following:
    - (A) Thorough knowledge of the materials, methods and techniques used in building construction;
    - (B) Thorough knowledge of applicable codes, referenced standards and other related regulations;
    - (C) Ability to read and interpret plans and specifications;
    - (D) Ability to recognize faulty construction or hazardous and unsafe conditions in new and existing installations; and
    - (E) Ability to express oneself clearly and concisely, both orally and in writing.
- (c) EACH CONSTRUCTION INSPECTOR SHALL ATTEND A MINIMUM OF THIRTY (30) HOURS OF APPROVED CONTINUING EDUCATION PROGRAMS OVER CONSECUTIVE THREE-YEAR PERIODS.

*Adopted effective March 27, 2003; amended on July 1, 2005.*

(NEW) Sec. 29-262-12b. System of control and reporting re continuing educational programs

(a) Members of each class of licensure subject to the continuing educational requirements specified in sections 29-262-2b and 29-262-4b to 29-262-11b, inclusive, of the Regulations of Connecticut State Agencies shall submit proof of successful completion of each such continuing educational program attended to the Office of Education & Data Management (OEDM) within the Department of Public Safety, or successor office.

(b) Individuals subject to the provisions of subsection (a) of this section shall submit proof of successful completion of each such continuing educational program attended to OEDM or its successor not later than ninety (90) days after successful completion of the continuing educational program, unless the individual's three-year training cycle expires during the 90-day period. In such case, proof of successful completion shall be submitted before such training cycle expires.

(c) Such proof of successful completion of a continuing educational program shall be submitted on an application form prescribed by OEDM or its successor. Applicants shall submit such documentation as OEDM or its successor may require including, but not limited to, a certificate of completion or transcript.

*Adopted effective July 1, 2005.*



## **WHERE TO OBTAIN THE STATE BUILDING CODE**

Copies of the State Building Code Supplement and Amendments will be referenced in all modules of the pre-licensure program. The current Connecticut State Building Code consists of the following document which will be provided in Session #101 - **State Building Code 2005 Connecticut Supplement**.

**Also, all modules in the pre-licensure program reference various codes. Depending on the class of licensure there are corresponding codebooks that will be used. You are required to purchase your own code books. These are the model codes required for the pre-licensure courses: (see appendix C for applicability to your chosen program)**

2003 ICC - International Building Code  
2003 ICC – International Mechanical Code  
2003 ICC – International Plumbing Code  
2003 ICC/ANSI A117.1 Accessible and Usable  
Buildings and Facilities

2005 National Electric Code (NFPA-70)  
2003 ICC - International Residential Code  
2003 ICC – International Energy Conservation Code  
2003 ICC – International Existing Building Code

*Available From:*

### **Only ICC Codes:**

#### **International Code Council**

4051 West Flossmoor Rd.  
Country Club Hills, IL 60478-5795  
Tel: 1-888-422-7233  
Fax: 1-205-591-0775  
Web: <http://www.iccsafe.org>

### **Only NFPA Codes:**

#### **National Fire Protection Assoc.**

Batterymarch Park  
Quincy, MA 02269  
Tel: 1-800-344-3555  
Fax: 1-617-770-0700  
Web: <http://www.nfpa.org>

## **All Model Codes Are Available From:**

### **Amazon**

Amazon.com  
Web: <http://www.amazon.com>

### **CT Building Officials Assoc.**

Web: <http://cboa.govoffice.com>

### **Bookmark, Inc.**

13976 Santa Fe Trail Dr.  
Lenexa, KS 66215  
Tel: 1-800-642-1288  
Fax: 1-913-894-1842  
Web: <http://www.bookmarki.com>

### **Construction Book Express**

Suite 500  
30 Oser Ave.  
Hauppauge, NY 11788  
Tel: 1-800-253-0541  
Fax: 1-800-647-7233  
Web: <http://www.constructionbook.com>

### **Contractor Books**

12 Old Dock Rd.  
Yaphank, NY 11980  
Tel: 1-631-924-4800  
Fax: 1-631-924-6580  
Web: <http://www.contractor-books.com>

### **Inspector Tools**

Suite 11  
4848 Colt St.  
Ventura, CA 93003  
Tel: 1-800-895-4916  
Fax: 1-800-895-4917  
Web: <http://www.inspectortools.com/booksother.html>

## **CONTACT INFORMATION**

**ALL APPLICATION-RELATED QUESTIONS ARE TO CONTACT THE  
OFFICE OF EDUCATION & DATA MANAGEMENT**

**MAIL COMPLETED SIX-PAGE APPLICATION WITH SUPPORTING  
DOCUMENTS FOR BUILDING CODE ENFORCEMENT LICENSURE PROGRAM  
TO:**

### **Office of Education & Data Management**

*Business hours are Monday through Friday from 8:00 am to 4:30 pm. EST/EDST*

**CT Department of Public Safety  
Office of Education & Data Management, 3-C  
1111 Country Club Road  
Middletown CT 06457-2389  
Attention: Licensure Application Section**

**Tel (860) 685-8912 or (860) 685-8330  
Fax (860) 685-8611**

**Web [www.ct.gov/dps](http://www.ct.gov/dps)**

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### **Office of State Building Inspector**

*Business hours are Monday through Friday from 8:00 am to 4:30 pm. EST/EDST*

**CT Department of Public Safety  
Office of State Building Inspector  
1111 Country Club Road  
Middletown CT 06457-2389**

**Tel (860) 685-8310  
Fax (860) 685-8365**

**Web [www.ct.gov/dps](http://www.ct.gov/dps)**

# CHAPTER 14\*

## FREEDOM OF INFORMATION ACT

\*See Sec. 11-8(b) re appointment of Public Records Administrator.

Annotations to former chapter 3:

Woodstock Academy deemed subject to provisions of Freedom of Information Act. 181 C. 544. Cited. 190 C. 235. Cited. 192 C. 234; Id., 310; Id., 581. Freedom of Information Act cited. 201 C. 421. Secs. 1-7-1-21k Connecticut Freedom of Information Act (FOIA) cited. 217 C. 322. Freedom of Information Act (FOIA) Secs. 1-7-1-21k cited. 219 C. 685. Cited. 227 C. 641. Freedom of Information Act cited. Id. Freedom of Information Act cited. 230 C. 441; 233 C. 28. Freedom of Information Act (FOIA) cited. 234 C. 704. Controversy before Freedom of Information Commission not moot; judgment of appellate court in *Domestic Violence Services of Greater New Haven Inc. v. Freedom of Information Commission* reversed and remanded to appellate court for further proceedings. 240 C. 1. Freedom of Information Act cited. Id., 824; Id., 835. Freedom of Information Act (act) cited. 241 C. 310. Freedom of Information Act, Sec. 1-7 et seq. cited. 242 C. 79.

Freedom of Information Act, Secs. 1-7-1-21k, cited. 18 CA 212; Id., 291. Freedom of Information Act cited. 35 CA 384; 36 CA 155. Freedom of Information Act, Sec. 1-7 et seq. cited. 39 CA 154. Freedom of Information Act cited. 41 CA 67. Freedom of Information Act cited. Id., 649; Id., 641. Freedom of Information Act, Sec. 1-7 et seq. cited. 42 CA 519. Freedom of Information Act (FOIA) cited. Id., 700; judgment reversed, see 240 C. 835 et seq. Freedom of Information Act cited. 44 CA 611. Freedom of Information Act, Sec. 1-7 et seq. cited. Id., 622. Freedom of Information Act cited. 45 CA 413.

Gathering of members of public agency to discuss or act on matter over which agency has supervision, control, jurisdiction or advisory power is a public meeting subject to the notice and record requirements of sections 1-7 to 1-21k. 36 CS 117. Cited. 39 CS 56; Id., 176. Freedom of Information Act cited. 40 CS 233. Freedom of Information Act cited. 43 CS 246. Freedom of Information Act cited. 44 CS 230.

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**Sec. 1-200. (Formerly Sec. 1-18a). Definitions.** As used in this chapter, the following words and phrases shall have the following meanings, except where such terms are used in a context which clearly indicates the contrary:

(1) "Public agency" or "agency" means:

(A) Any executive, administrative or legislative office of the state or any political subdivision of the state and any state or town agency, any department, institution, bureau, board, commission, authority or official of the state or of any city, town, borough, municipal corporation, school district, regional district or other district or other political subdivision of the state, including any committee of, or created by, any such office, subdivision, agency, department, institution, bureau, board, commission, authority or official, and also includes any judicial office, official, or body or committee thereof but only with respect to its or their administrative functions;

(B) Any person to the extent such person is deemed to be the functional equivalent of a public agency pursuant to law; or

(C) Any "implementing agency", as defined in section 32-222.

(2) "Meeting" means any hearing or other proceeding of a public agency, any convening or assembly of a quorum of a multimember public agency, and any communication by or to a quorum of a multimember public agency, whether in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power. "Meeting" does not include: Any meeting of a personnel search committee for executive level employment candidates; any chance meeting, or a social meeting neither planned nor intended for the purpose of discussing matters relating to official business; strategy or negotiations with respect to collective bargaining; a caucus of members of a single political party notwithstanding that such members also constitute a quorum of a public agency; an administrative or staff meeting of a single-member public agency; and communication limited to notice of meetings of any public agency or the agendas thereof. A quorum of the members of a public agency who are present at any event which has been noticed and conducted as a meeting of another public agency under the provisions of the Freedom of Information Act shall not be deemed to be holding a meeting of the public agency of which they are members as a result of their presence at such event.

(3) "Caucus" means (A) a convening or assembly of the enrolled members of a single political party who are members of a public agency within the state or a political subdivision, or (B) the members of a multimember public agency, which members constitute a majority of the membership of the agency, or the other members of the agency who constitute a minority of the membership of the agency, who register their intention to be considered a majority caucus or minority caucus, as the case may be, for the purposes of the Freedom of Information Act, provided (i) the registration is made with the office of the Secretary of the State for any such public agency of the state, in the office of the clerk of a political subdivision of the state for any public agency of a political subdivision of the state, or in the office of the clerk of each municipal member of any multitown district or agency, (ii) no member is registered in more than one caucus at any one time, (iii) no such member's registration is rescinded during the member's

remaining term of office, and (iv) a member may remain a registered member of the majority caucus or minority caucus regardless of whether the member changes his or her party affiliation under chapter 143.

(4) "Person" means natural person, partnership, corporation, limited liability company, association or society.

(5) "Public records or files" means any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under section 1-218, whether such data or information be handwritten, typed, tape-recorded, printed, photostated, photographed or recorded by any other method.

(6) "Executive sessions" means a meeting of a public agency at which the public is excluded for one or more of the following purposes: (A) Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting; (B) strategy and negotiations with respect to pending claims or pending litigation to which the public agency or a member thereof, because of the member's conduct as a member of such agency, is a party until such litigation or claim has been finally adjudicated or otherwise settled; (C) matters concerning security strategy or the deployment of security personnel, or devices affecting public security; (D) discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned; and (E) discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-210.

(7) "Personnel search committee" means a body appointed by a public agency, whose sole purpose is to recommend to the appointing agency a candidate or candidates for an executive-level employment position. Members of a "personnel search committee" shall not be considered in determining whether there is a quorum of the appointing or any other public agency.

(8) "Pending claim" means a written notice to an agency which sets forth a demand for legal relief or which asserts a legal right stating the intention to institute an action in an appropriate forum if such relief or right is not granted.

(9) "Pending litigation" means (A) a written notice to an agency which sets forth a demand for legal relief or which asserts a legal right stating the intention to institute an action before a court if such relief or right is not granted by the agency; (B) the service of a complaint against an agency returnable to a court which seeks to enforce or implement legal relief or a legal right; or (C) the agency's consideration of action to enforce or implement legal relief or a legal right.

(10) "Freedom of Information Act" means this chapter.

(11) "Governmental function" means the administration or management of a program of a public agency, which program has been authorized by law to be administered or managed by a person, where

(A) the person receives funding from the public agency for administering or managing the program, (B) the public agency is involved in or regulates to a significant extent such person's administration or management of the program, whether or not such involvement or regulation is direct, pervasive, continuous or day-to-day, and (C) the person participates in the formulation of governmental policies or decisions in connection with the administration or management of the program and such policies or decisions bind the public agency. "Governmental function" shall not include the mere provision of goods or services to a public agency without the delegated responsibility to administer or manage a program of a public agency.

(P.A. 75-342, S. 1; P.A. 77-421; 77-609, S. 1, 8; P.A. 83-67, S. 1; 83-372; P.A. 84-546, S. 3, 173; P.A. 87-568, S. 1, 2; P.A. 90-307, S. 2, 5; P.A. 91-140, S. 1, 3; P.A. 93-195, S. 1; P.A. 95-79, S. 2, 189; P.A. 97-47, S. 1; P.A. 00-136, S. 1; P.A. 01-169, S. 1; P.A. 02-130, S. 17.)

History: P.A. 77-421 deleted reference to court of common pleas, probate court and juvenile court in Subsec. (a); P.A. 77-609 redefined "meeting" and "executive sessions"; P.A. 83-67 amended Subsec. (a) by including any state, municipal or district authority within the meaning of "agency" or "public agency"; P.A. 83-372 included within the definition of "agency" or "public agency" any committee formed by a body previously defined as an agency or public agency; P.A. 84-546 included committees of authorities in definition of "public agency"; P.A. 87-568 excluded from definition of "meeting" any "meeting of a personnel search committee for executive level employment candidates" and added Subsec. (f), defining "personnel search committee"; P.A. 90-307 added Subsec. (g) re exception to meeting provisions; P.A. 91-140 inserted new Subsecs. (g) and (h), defining "pending claim" and "pending litigation", and relettered former Subsec. (g) as Subsec. (i); P.A. 93-195 inserted ", or created by," in definition of "public agency" or "agency" in Subsec. (a); P.A. 95-79 redefined "person" to include a limited liability company, effective May 31, 1995; P.A. 97-47 replaced alphabetic Subdiv. indicators with numbers, transferred quorum provisions (formerly Subdiv. (i)) to Subdiv. (2), defining "meeting", and added Subdiv. (10) defining "Freedom of Information Act"; Sec. 1-18a transferred to Sec. 1-200 in 1999; P.A. 00-136 redefined "public agency" in Subdiv. (1) to include implementing agencies, as defined in Sec. 32-222; P.A. 01-169 amended definition of "public agency" in Subdiv. (1) by making technical changes, dividing Subdiv. into Subparas. and adding Subpara. (B) to include any person to extent such person is deemed the functional equivalent of a public agency, amended definition of "public records or files" in Subdiv. (5) by adding "or to which a public agency is entitled to receive a copy by law or contract under section 1-218", made a technical change for the purposes of gender neutrality in Subdiv. (6) and added Subdiv. (11) defining "governmental function"; P.A. 02-130 made a technical change in Subdiv. (1)(C), substituted "does not" for "shall not" in Subdiv. (2) and amended definition of "caucus" in Subdiv. (3) to designate existing provisions as Subpara. (A) and add Subpara. (B) re members of a multimember public agency, effective May 10, 2002.

#### Annotations to former section 1-18a:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 182 C. 142. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312.



Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. Id. FOIA, Freedom of Information Act cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482. Cited. Id., 549. Freedom of Information Act cited. Id. Freedom of Information Act (FOIA) cited. 222 C. 621. Cited. 227 C. 641; Id., 848. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271. Cited. 234 C. 704. Cited. 240 C. 1.

Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA. Cited. 31 CA 690. Cited. 35 CA 111. Freedom of Information Act (FOIA) cited. Id. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133. Cited. 51 CA 100.

Freedom of Information Act cited. 41 CS 31; Id., 267. Cited. 42 CS 84. Freedom of Information Act cited. Id. P.A. 91-140, Sec. 1 cited. Id. Freedom of Information Act cited. Id. 129. Cited. Id., 291. Freedom of Information Act cited. Id.

#### Subsec. (a):

Woodstock Academy deemed a "public agency" within meaning of statute. 181 C. 544. Rules committee of superior court does not perform "administrative functions" within meaning of the statute and is not subject to the provisions of the Freedom of Information Act. 192 C. 234. Cited. 204 C. 609. Exercise of administrative functions and adjudication discussed. 209 C. 204. Connecticut Humane Society not a public agency within meaning of section; applications of section discussed. 218 C. 757. "Committee" under section refers only to subunits composed entirely of public agency members. 219 C. 685. P.A. 83-372 cited. Id. Cited. 221 C. 217; Id. 300; Id., 835.

Cited. 18 CA 291. Cited. 19 CA 352. Cited. 36 CA 155. Cited. 42 CA 519; Id., 700; judgment reversed, see 240 C. 835. Cited. 43 CA 133. Domestic Violence Services of Greater New Haven, Inc. not a public agency within meaning of statute; "functional equivalent" test discussed. 47 CA 466. Gathering of four selectmen, chairman of board of finance and town controller to discuss future meeting of board of selectmen not a meeting of the board of selectmen since less than a quorum of board present at the gathering. 48 CA 529.

Cited. 39 CS 257. Cited. 42 CS 129. Cited. 44 CS 230.

#### Subsec. (b):

Cited. 201 C. 685. Cited. 230 C. 441. Cited. 231 C. 922. Section must be construed to contemplate a bifurcated grievance hearing; judgments of appellate court in *Waterbury Teachers Assn. v. Freedom of Information Commission*, 42 CA 700 reversed. 240 C. 835.

Cited. 19 CA 352. Cited. 42 CA 402. Grievance hearings involve "negotiations with respect to



collective bargaining" pursuant to the statutory exception of the section. Id., 700; judgment reversed, see 240 C. 835. Grievance arbitration hearings before Board of Mediation and Arbitration are not public meetings within the meaning of the section. 43 CA 133.

Gathering of Republican members of board of aldermen attended by persons other than Republicans was not a caucus under this subsection but a public meeting subject to the notice and record requirements of sections 1-7 to 1-21k. 36 CS 117. When members of a public agency who are of the same political party gather for the limited purpose of discussing and deciding the party's position on matters to come before the agency, that gathering is a caucus under this subsection. Id. Cited. 39 CS 56. Cited. 42 CS 84.

Subsec. (c):

Cited. 221 C. 217. Cited. 222 C. 361. Cited. 234 C. 624.

Subsec. (d):

Cited. 204 C. 609. Cited. 228 C. 158.

Cited. 4 CA 216. Cited. 44 CA 622. Certain affidavits of town employees and officers prepared by the town attorney's office to assist town attorney in defending the town against complaint not public records since prepared by town attorney who is not town employee for his use and not for use of public agency. 48 CA 522.

Subsec. (e):

Cited. 182 C. 138. Cited. 192 C. 183. Cited. 198 C. 498. Subdiv. (1) cited. 199 C. 451. Cited. 213 C. 216. Subdiv. (1): Court interpreted "appointment" to include term "filling a vacancy" used in Sec. 10-219. Id. Cited. 217 C. 153. Subdiv. (2): Term "pending claim" discussed. Id. Cited. 221 C. 217. Subdiv. (1) cited. 240 C. 835. Subdiv. (2) cited. Id.

Cited. 2 CA 600. Cited. 14 CA 380; judgment reversed, see 210 C. 646. Cited. 19 CA 539. Subdivs. (1) and (5) cited. 20 CA 671. Cited. 42 CA 402.

Cited. 41 CS 267. Subdiv. (1): "Filling a vacancy" as used in Sec. 10-219 constitutes "appointment" within meaning of this section. Id.

Subsec. (h):

Any action, not restricted to legal action, to implement legal relief or enforce a legal right concerns "pending litigation". 243 C. 427.

Annotations to present section:

Order that documents be disclosed under section was proper. 54 CA 373. Order that documents be disclosed under section was proper. 54 CA 373. Instructors in master gardener program at University of Connecticut who do not perform governmental function within meaning of Subdiv. (11) and have no

power to govern, regulate or make decisions affecting government do not constitute public agencies under Subdiv. (1). 90 CA 101.

Subdiv. (1):

In Subpara. (A) "administrative functions" of judicial branch means activities related to budget, personnel, facilities and physical operations. 278 C. 28.

Subdiv. (2):

Grievance arbitration proceedings are not meetings within meaning of section. 244 C. 487.

Predisciplinary employee conference is not a "meeting". 48 CA 424.

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**Sec. 1-201. (Formerly Sec. 1-19c). Division of Criminal Justice deemed not to be public agency, when.** For the purposes of subdivision (1) of section 1-200, the Division of Criminal Justice shall not be deemed to be a public agency except in respect to its administrative functions.

(P.A. 84-406, S. 12, 13; P.A. 00-66, S. 4.)

History: P.A. 84-406 effective November 28, 1984, upon certification by secretary of the state of vote on constitutional amendment re appointment of state's attorneys; Sec. 1-19c transferred to Sec. 1-201 in 1999; P.A. 00-66 changed the reference to Sec. 1-200(1).

Annotations to former section 1-19c:

Connecticut Freedom of Information Act, Secs. 1-7-1-21k, cited. 206 C. 449. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217. Cited. Id., 300. Freedom of Information Act (FOIA) cited. Id.; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Cited. 227 C. 641. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 42 CS 84; Id., 129. Cited. Id., 291. Freedom of Information Act cited. Id.

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**Sec. 1-202. (Formerly Sec. 1-20e). Application of freedom of information provisions to agency committee composed entirely of individuals who are not members of the agency.** Any public agency may petition the Freedom of Information Commission before establishing a committee of the public agency which is to be composed entirely of individuals who are not members of the agency, to determine whether such committee may be exempted from the application of any provision of the Freedom of Information Act. If the commission, in its judgment, finds by reliable, probative and substantial evidence that the public interest in exempting the committee from the application of any such provision clearly outweighs the public interest in applying the provision to the committee, the commission shall issue an order, on appropriate terms, exempting the committee from the application of the provision.

(P.A. 93-195, S. 2; P.A. 97-47, S. 7.)

History: P.A. 97-47 substituted "the Freedom of Information Act" for list of sections; Sec. 1-20e transferred to Sec. 1-202 in 1999.

Annotation to former section 1-20e:

Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

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**Secs. 1-203 and 1-204.** Reserved for future use.

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**Sec. 1-205. (Formerly Sec. 1-21j). Freedom of Information Commission.** (a) There shall be a

Freedom of Information Commission consisting of five members appointed by the Governor, with the advice and consent of either house of the General Assembly, who shall serve for terms of four years from the July first of the year of their appointment, except that of the members appointed prior to and serving on July 1, 1977, one shall serve for a period of six years from July 1, 1975, one shall serve for a period of four years from July 1, 1975, and one shall serve for a period of six years from July 1, 1977. Of the two new members first appointed after July 1, 1977, one shall serve from the date of such appointment until June 30, 1980, and one shall serve from the date of such appointment until June 30, 1982. No more than three members shall be members of the same political party.

(b) Each member shall receive two hundred dollars per day for each day such member is present at a commission hearing or meeting, and shall be entitled to reimbursement for actual and necessary expenses incurred in connection therewith, in accordance with the provisions of section 4-1.

(c) The Governor shall select one of its members as a chairman. The commission shall maintain a permanent office at Hartford in such suitable space as the Commissioner of Public Works provides. All papers required to be filed with the commission shall be delivered to such office.

(d) The commission shall, subject to the provisions of the Freedom of Information Act promptly review the alleged violation of said Freedom of Information Act and issue an order pertaining to the same. Said commission shall have the power to investigate all alleged violations of said Freedom of Information Act and may for the purpose of investigating any violation hold a hearing, administer oaths, examine witnesses, receive oral and documentary evidence, have the power to subpoena witnesses under procedural rules adopted by the commission to compel attendance and to require the production for examination of any books and papers which the commission deems relevant in any matter under investigation or in question. In case of a refusal to comply with any such subpoena or to testify with respect to any matter upon which that person may be lawfully interrogated, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to comply with such subpoena and to testify; failure to obey any such order of the court may be punished by the court as a contempt thereof.

(e) The Freedom of Information Commission, and the Department of Information Technology with respect to access to and disclosure of computer-stored public records, shall conduct training sessions, at least annually, for members of public agencies for the purpose of educating such members as to the requirements of sections 1-7 to 1-14, inclusive, 1-16 to 1-18, inclusive, 1-200 to 1-202, inclusive, 1-205, 1-206, 1-210 to 1-217, inclusive, 1-225 to 1-232, inclusive, 1-240, 1-241 and 19a-342.

(f) Not later than December 31, 2001, the Freedom of Information Commission shall create, publish and provide to the chief elected official of each municipality a model ordinance concerning the establishment by any municipality of a municipal freedom of information advisory board to facilitate the informed and efficient exchange of information between the commission and such municipality. The commission may amend the model ordinance from time to time.

(g) When the General Assembly is in session, the Governor shall have the authority to fill any vacancy on the commission, with the advice and consent of either house of the General Assembly. When

the General Assembly is not in session any vacancy shall be filled pursuant to the provisions of section 4-19. A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission and three members of the commission shall constitute a quorum.

(h) The commission shall, subject to the provisions of chapter 67, employ such employees as may be necessary to carry out the provisions of this chapter. The commission may enter into such contractual agreements as may be necessary for the discharge of its duties, within the limits of its appropriated funds and in accordance with established procedures.

(i) The commission shall make available to the public the printed reports of its decisions, opinions and related materials at a reasonable cost not to exceed the actual cost thereof to said commission but not less than twenty-eight dollars per item.

(j) The Freedom of Information Commission shall not be construed to be a commission or board within the meaning of section 4-9a.

(P.A. 75-342, S. 15, 19; P.A. 77-609, S. 7, 8; 77-614, S. 73, 610; P.A. 78-280, S. 8, 127; 78-315, S. 3, 4; P.A. 79-560, S. 1, 39; 79-575, S. 1, 4; P.A. 86-390, S. 1, 2, 4; P.A. 87-496, S. 5, 110; P.A. 88-230, S. 1, 12; P.A. 89-251, S. 57, 203; P.A. 90-98, S. 1, 2; P.A. 91-347, S. 3, 5; P.A. 93-142, S. 4, 7, 8; P.A. 95-220, S. 4-6; P.A. 97-47, S. 13; June 18 Sp. Sess. P.A. 97-9, S. 27, 50; P.A. 00-136, S. 8, 10; P.A. 06-187, S. 69.)

History: P.A. 77-609 increased the number of commission members to five, changed the terms of members to four years, provided that not more than three members belong to the same political party and added Subsecs. (e) and (f); P.A. 77-614 changed "public works commissioner" to "commissioner of administrative services"; P.A. 78-280 changed "court of common pleas for the county of Hartford" to "superior court for the judicial district of Hartford-New Britain"; P.A. 78-315 added Subsec. (i); P.A. 79-560 changed "fiscal and budgetary" purposes to "administrative" purposes; P.A. 79-575 changed per diem to fifty dollars, allowed for reimbursement for expenses and added Subsecs. (g) and (h); P.A. 86-390 deleted provision in Subsec. (a) placing commission within the office of the secretary of the state for administrative purposes only and deleted provision in Subsec. (c) requiring secretary of the state to provide secretarial assistance to the commission; P.A. 87-496 substituted public works commissioner for administrative services commissioner in Subsec. (c); P.A. 88-230 replaced "judicial district of Hartford-New Britain" with "judicial district of Hartford", effective September 1, 1991; P.A. 89-251 set the fee for documents at not less than twenty-eight dollars per item; P.A. 90-98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993; P.A. 91-347 inserted "and the office of information and technology with respect to access to and disclosure of computer-stored public records" in Subsec. (e), effective July 1, 1992; P.A. 93-142 changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996, effective June 14, 1993; P.A. 95-220 changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998, effective July 1, 1995; P.A. 97-47 amended Subsec. (d) by substituting "the Freedom of Information Act" for list of sections; June 18 Sp. Sess. P.A. 97-9 amended Subsec. (e) by substituting "Department of Information Technology" for "Office of Information and Technology", effective July 1, 1997; Sec. 1-21j transferred to Sec. 1-205 in 1999; P.A. 00-136 inserted new Subsec. (f) re a model ordinance for a municipal freedom of information advisory board, and

redesignated former Subsecs. (f) to (i), inclusive, as (g) to (j), respectively, effective July 1, 2000; P.A. 06-187 amended Subsec. (b) to change rate of compensation for members from fifty to two hundred dollars per day for attendance at commission meetings or hearings, effective May 26, 2006.

#### Annotations to former section 1-21j:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 182 C. 140. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. Id., Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Cited. 228 C. 158. Freedom of Information Act (FOIA) cited. Id. Cited. 228 C. 271. Freedom of Information Act cited. Id.

Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

#### Subsec. (d):

Subsection specifies sections of general statutes to which Freedom of Information Commission is subject. 181 C. 324. Cited. 192 C. 183. Cited. 208 C. 453.

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**Sec. 1-205a. Recommended appropriations. Allotments.** (a) Notwithstanding any provision of the general statutes, the appropriations recommended for the Freedom of Information Commission, as established in section 1-205, shall be the estimates of expenditure requirements transmitted to the Secretary of the Office of Policy and Management by the executive director of the commission and the recommended adjustments and revisions of such estimates shall be the recommended adjustments and revisions, if any, transmitted by said executive director to the Office of Policy and Management.



(b) Notwithstanding any provision of the general statutes, the Governor shall not reduce allotment requisitions or allotments in force concerning the Freedom of Information Commission.

(P.A. 04-204, S. 11.)

History: P.A. 04-204 effective July 1, 2004.

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**Sec. 1-206. (Formerly Sec. 1-21i). Denial of access to public records or meetings. Appeals. Notice. Orders. Civil penalty. Service of process upon commission. Frivolous appeals.** (a) Any denial of the right to inspect or copy records provided for under section 1-210 shall be made to the person requesting such right by the public agency official who has custody or control of the public record, in writing, within four business days of such request, except when the request is determined to be subject to subsections (b) and (c) of section 1-214, in which case such denial shall be made, in writing, within ten business days of such request. Failure to comply with a request to so inspect or copy such public record within the applicable number of business days shall be deemed to be a denial.

(b) (1) Any person denied the right to inspect or copy records under section 1-210 or wrongfully denied the right to attend any meeting of a public agency or denied any other right conferred by the Freedom of Information Act may appeal therefrom to the Freedom of Information Commission, by filing a notice of appeal with said commission. A notice of appeal shall be filed within thirty days after such denial, except in the case of an unnoticed or secret meeting, in which case the appeal shall be filed within thirty days after the person filing the appeal receives notice in fact that such meeting was held. For purposes of this subsection, such notice of appeal shall be deemed to be filed on the date it is received by said commission or on the date it is postmarked, if received more than thirty days after the date of the denial from which such appeal is taken. Upon receipt of such notice, the commission shall serve upon all parties, by certified or registered mail, a copy of such notice together with any other notice or order of such commission. In the case of the denial of a request to inspect or copy records contained in a public employee's personnel or medical file or similar file under subsection (c) of section 1-214, the commission shall include with its notice or order an order requiring the public agency to notify any employee whose records are the subject of an appeal, and the employee's collective bargaining representative, if any, of the commission's proceedings and, if any such employee or collective bargaining representative has filed an objection under said subsection (c), the agency shall provide the required notice to such employee and collective bargaining representative by certified mail, return receipt requested or by hand delivery with a signed receipt. A public employee whose personnel or medical file or similar file is the subject of an appeal under this subsection may intervene as a party in the proceedings on the matter before the commission. Said commission shall, after due notice to the parties, hear and decide the appeal within one year after the filing of the notice of appeal. The commission shall adopt regulations in accordance with chapter 54, establishing criteria for those appeals which shall be privileged in their assignment for

hearing. Any such appeal shall be heard within thirty days after receipt of a notice of appeal and decided within sixty days after the hearing. If a notice of appeal concerns an announced agency decision to meet in executive session or an ongoing agency practice of meeting in executive sessions, for a stated purpose, the commission or a member or members of the commission designated by its chairperson shall serve notice upon the parties in accordance with this section and hold a preliminary hearing on the appeal within seventy-two hours after receipt of the notice, provided such notice shall be given to the parties at least forty-eight hours prior to such hearing. If after the preliminary hearing the commission finds probable cause to believe that the agency decision or practice is in violation of sections 1-200 and 1-225, the agency shall not meet in executive session for such purpose until the commission decides the appeal. If probable cause is found by the commission, it shall conduct a final hearing on the appeal and render its decision within five days of the completion of the preliminary hearing.

(2) In any appeal to the Freedom of Information Commission under subdivision (1) of this subsection or subsection (c) of this section, the commission may confirm the action of the agency or order the agency to provide relief that the commission, in its discretion, believes appropriate to rectify the denial of any right conferred by the Freedom of Information Act. The commission may declare null and void any action taken at any meeting which a person was denied the right to attend and may require the production or copying of any public record. In addition, upon the finding that a denial of any right created by the Freedom of Information Act was without reasonable grounds and after the custodian or other official directly responsible for the denial has been given an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive, the commission may, in its discretion, impose against the custodian or other official a civil penalty of not less than twenty dollars nor more than one thousand dollars. If the commission finds that a person has taken an appeal under this subsection frivolously, without reasonable grounds and solely for the purpose of harassing the agency from which the appeal has been taken, after such person has been given an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive, the commission may, in its discretion, impose against that person a civil penalty of not less than twenty dollars nor more than one thousand dollars. The commission shall notify a person of a penalty levied against him pursuant to this subsection by written notice sent by certified or registered mail. If a person fails to pay the penalty within thirty days of receiving such notice, the superior court for the judicial district of Hartford shall, on application of the commission, issue an order requiring the person to pay the penalty imposed. If the executive director of the commission has reason to believe an appeal under subdivision (1) of this subsection or subsection (c) of this section (A) presents a claim beyond the commission's jurisdiction; (B) would perpetrate an injustice; or (C) would constitute an abuse of the commission's administrative process, the executive director shall not schedule the appeal for hearing without first seeking and obtaining leave of the commission. The commission shall provide due notice to the parties and review affidavits and written argument that the parties may submit and grant or deny such leave summarily at its next regular meeting. The commission shall grant such leave unless it finds that the appeal: (i) Does not present a claim within the commission's jurisdiction; (ii) would perpetrate an injustice; or (iii) would constitute an abuse of the commission's administrative process. Any party aggrieved by the commission's denial of such leave may apply to the superior court for the judicial district of Hartford, within fifteen days of the commission meeting at which such leave was denied, for an order requiring the commission to hear such appeal.

(3) In making the findings and determination under subdivision (2) of this subsection the commission



shall consider the nature of any injustice or abuse of administrative process, including but not limited to: (A) The nature, content, language or subject matter of the request or the appeal; (B) the nature, content, language or subject matter of prior or contemporaneous requests or appeals by the person making the request or taking the appeal; and (C) the nature, content, language or subject matter of other verbal and written communications to any agency or any official of any agency from the person making the request or taking the appeal.

(4) Notwithstanding any provision of this subsection to the contrary, in the case of an appeal to the commission of a denial by a public agency, the commission may, upon motion of such agency, confirm the action of the agency and dismiss the appeal without a hearing if it finds, after examining the notice of appeal and construing all allegations most favorably to the appellant, that (A) the agency has not violated the Freedom of Information Act, or (B) the agency has committed a technical violation of the Freedom of Information Act that constitutes a harmless error that does not infringe the appellant's rights under said act.

(c) Any person who does not receive proper notice of any meeting of a public agency in accordance with the provisions of the Freedom of Information Act may appeal under the provisions of subsection (b) of this section. A public agency of the state shall be presumed to have given timely and proper notice of any meeting as provided for in said Freedom of Information Act if notice is given in the Connecticut Law Journal or a Legislative Bulletin. A public agency of a political subdivision shall be presumed to have given proper notice of any meeting, if a notice is timely sent under the provisions of said Freedom of Information Act by first-class mail to the address indicated in the request of the person requesting the same. If such commission determines that notice was improper, it may, in its sound discretion, declare any or all actions taken at such meeting null and void.

(d) Any party aggrieved by the decision of said commission may appeal therefrom, in accordance with the provisions of section 4-183. Notwithstanding the provisions of section 4-183, in any such appeal of a decision of the commission, the court may conduct an in camera review of the original or a certified copy of the records which are at issue in the appeal but were not included in the record of the commission's proceedings, admit the records into evidence and order the records to be sealed or inspected on such terms as the court deems fair and appropriate, during the appeal. The commission shall have standing to defend, prosecute or otherwise participate in any appeal of any of its decisions and to take an appeal from any judicial decision overturning or modifying a decision of the commission. If aggrievement is a jurisdictional prerequisite to the commission taking any such appeal, the commission shall be deemed to be aggrieved. Notwithstanding the provisions of section 3-125, legal counsel employed or retained by said commission shall represent said commission in all such appeals and in any other litigation affecting said commission. Notwithstanding the provisions of subsection (c) of section 4-183 and section 52-64, all process shall be served upon said commission at its office. Any appeal taken pursuant to this section shall be privileged in respect to its assignment for trial over all other actions except writs of habeas corpus and actions brought by or on behalf of the state, including informations on the relation of private individuals. Nothing in this section shall deprive any party of any rights he may have had at common law prior to January 1, 1958. If the court finds that any appeal taken pursuant to this section or section 4-183 is frivolous or taken solely for the purpose of delay, it shall order the party responsible therefor to pay to the party injured by such frivolous or dilatory appeal costs or attorney's fees

of not more than one thousand dollars. Such order shall be in addition to any other remedy or disciplinary action required or permitted by statute or by rules of court.

(e) Within sixty days after the filing of a notice of appeal alleging violation of any right conferred by the Freedom of Information Act concerning records of the Department of Environmental Protection relating to the state's hazardous waste program under sections 22a-448 to 22a-454, inclusive, the Freedom of Information Commission shall, after notice to the parties, hear and decide the appeal. Failure by the commission to hear and decide the appeal within such sixty-day period shall constitute a final decision denying such appeal for purposes of this section and section 4-183. On appeal, the court may, in addition to any other powers conferred by law, order the disclosure of any such records withheld in violation of the Freedom of Information Act and may assess against the state reasonable attorney's fees and other litigation costs reasonably incurred in an appeal in which the complainant has prevailed against the Department of Environmental Protection.

(P.A. 75-342, S. 14; P.A. 76-435, S. 25, 82; P.A. 77-403; 77-603, S. 2, 125; 77-609, S. 6, 8; P.A. 78-331, S. 57, 58; P.A. 81-431, S. 2, 3; P.A. 83-129, S. 1, 2; 83-587, S. 69, 96; June Sp. Sess. P.A. 83-31, S. 1, 2; P.A. 84-112, S. 2, 3; 84-136; 84-311, S. 1, 3; P.A. 86-408, S. 1, 4; P.A. 87-285, S. 2; 87-526, S. 4; P.A. 88-230, S. 1, 12; 88-317, S. 39, 107; 88-353, S. 2, 4; P.A. 90-98, S. 1, 2; 90-307, S. 1, 5; P.A. 92-207, S. 2; P.A. 93-142, S. 4, 7, 8; 93-191, S. 1, 4; P.A. 95-220, S. 4-6; P.A. 97-47, S. 10-12; P.A. 00-136, S. 6.)

History: P.A. 76-435 made technical changes; P.A. 77-403 changed "person" to "party"; P.A. 77-603 required that court appeals be made in accordance with Sec. 4-183; P.A. 77-609 changed provisions for appeals to freedom of information commission and provided that legal counsel represent the commission in court appeals; P.A. 78-331 made technical changes, reiterating amendments of P.A. 77-603; P.A. 81-431 added provisions in Subsec. (b) clarifying time of filing of notice of appeal and authorizing imposition of civil penalties for unreasonable denials, added a provision in Subsec. (d) re service of process upon the commission and deleted reference to commission's authority to impose fines for wilful and unreasonable denials; P.A. 83-129 amended Subsec. (b) to allow the commission to penalize those who bring frivolous appeals and amended Subsec. (d) by allowing the court to order those engaged in dilatory or frivolous appeals to pay the injured party's costs or attorney's fees; P.A. 83-587 made technical change in Subsec. (c); June Sp. Sess. P.A. 83-31 established an expedited hearing procedure for appeals involving executive sessions, effective July 1, 1984; P.A. 84-112 increased civil penalty for denial of right of access to records from five hundred to one thousand dollars; P.A. 84-136 provided for extended appeal period in the case of an unnoticed or secret meeting; P.A. 84-311 added provision re commission standing in appeals in Subsec. (d); P.A. 86-408 changed time limit for hearing and decision on appeal to one year after filing of notice and required that commission adopt regulations establishing criteria for privileged assignment for hearing for certain appeals which must be decided within ninety days after filing; P.A. 87-285 amended Subsec. (b) to require notice to the employee of any appeal to the commission regarding denial of access to his personnel or medical files, and to allow the employee to intervene as a party in the proceedings; P.A. 87-526 amended Subsec. (d) to allow court to conduct in camera review of records which are at issue in appeal but not included in record of commission's proceedings; P.A. 88-230 replaced "judicial district of Hartford-New Britain" with "judicial district of Hartford", effective September 1, 1991; P.A. 88-317 amended references to Ch. 54 and Secs. 4-177 to 4-

184 in Subsec. (b) to include new sections added to Ch. 54 and substituted "subsection (c) of section 4-183" for "subsection (b) of section 4-183" in Subsec. (d), effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date; P.A. 88-353 added requirement in Subsec. (b) re notice to collective bargaining representative; P.A. 90-98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993; P.A. 90-307, S. 1, re appeals re records of environmental protection department relating to state hazardous waste program, was added editorially by the Revisors as Subsec. (e) in 1991; P.A. 92-207 amended Subsec. (a) to allow ten days for the denial of the right to inspect and copy records and to require that denial be made in writing pursuant to Subsecs. (b) and (c) of Sec. 1-20a; P.A. 93-142 changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996, effective June 14, 1993; P.A. 93-191 amended Subsec. (b) by adding Subdiv. designations, adding Subdiv. (2) provision regarding appeals which present a claim beyond the commission's jurisdiction, would perpetrate an injustice or would constitute an abuse of the commission's administrative process, adding Subdiv. (3) regarding considerations in determining injustice or abuse of administrative process, and adding Subdiv. (4) regarding dismissal without hearing, effective July 1, 1993; P.A. 95-220 changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998, effective July 1, 1995; P.A. 97-47 amended Subsecs. (b), (c) and (e) by substituting "the Freedom of Information Act" for list of sections; Sec. 1-21i transferred to Sec. 1-206 in 1999; P.A. 00-136 amended Subdiv. (b)(4) to insert Subpara. (A) designator and to add new language as Subpara. (B) re technical violations that constitute harmless error.

See Sec. 1-2a re construing of references to "United States mail" or "postmark" to include references to any delivery service designated by the Secretary of the Treasury pursuant to Section 7502 of the Internal Revenue Code of 1986 or any successor to the code, as amended, and to any date recorded or marked as described in said Section 7502 by a designated delivery service and construing of "registered or certified mail" to include any equivalent designated by the Secretary of the Treasury pursuant to said Section 7502.

#### Annotations to former section 1-21i:

Cited. 181 C. 324. Cited. 182 C. 142. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Cited. 198 C. 498. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Freedom of Information Act (FOIA) cited. 216 C. 253. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Cited. 218 C. 256. Freedom of Information Act cited. Id. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217. Cited. Id., 300. Freedom of Information Act (FOIA) cited. Id.; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271. Cited. 240 C. 835.

Cited. 2 CA 600. Cited. 4 CA 216. Freedom of Information Act cited. Id., 468; 14 CA 380; judgment reversed, see 210 C. 646. Board of pardons not an aggrieved party. Id. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316.

Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Cited. Id., 700; judgment reversed, see 240 C. 835. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

Subsec. (a):

Cited. 204 C. 609.

Subsec. (b):

Cited. 182 C. 138. Time requirements are mandatory. 198 C. 498. Time limits mandatory. 199 C. 451. Cited. 201 C. 421. Cited. Id., 448. Cited. 204 C. 609. Cited. 205 C. 767. Where successive requests made for records are denied, appeals may be made within thirty days of any denial. 208 C. 442. Cited. 209 C. 204. "... affords a right to appeal to the FOIC any denial, whether written or statutory, of a request for disclosure of public records". 218 C. 256. Cited. 221 C. 217. Subdiv. (1) cited. 233 C. 28. Subdiv. (2) cited. Id. Cited. 234 C. 704. Subdiv. (1) cited. 240 C. 1.

Cited. 16 CA 49. Cited. 35 CA 111. Subdiv. (2): Fines were valid when ordered after plaintiff refused to disclose records as ordered. 54 CA 373. Commission must ensure that employee whose records are the subject of an appeal has received notice of proceedings where the employer has failed to give required notice. 60 CA 584. Order of disclosure may not be issued until employee whose records are the subject of an appeal has been given proper notice and opportunity for a hearing to assert the personal privacy exemption. Id.

Failure of commission to hold a hearing and issue a decision on complaint within time periods prescribed by this subsection did not void its jurisdiction, those time limits being directory, not mandatory. 36 CS 117. Cited. 39 CS 56. A finding that commission violated the law is equivalent to a finding that commission individually and collectively violated the law and therefore were the individuals "directly responsible for such denial". 40 CS 233.

Subsec. (c):

An appeal to superior court under this statute is the route to test whether Freedom of Information Commission acted erroneously in failing to order a public hearing. 2 CA 600.

Subsec. (d):

Cited. 174 C. 308. Cited. 177 C. 584. Cited. 201 C. 421. Cited. 204 C. 609. Cited. 205 C. 767. *Board of Pardons v. FOIC*, 14 CA 380, judgment reversed on issue of aggrievement. Id., 646. Cited. 213 C. 126; Id., 216. Cited. 217 C. 153. Cited. 218 C. 335. Party status not necessary to standing for appeal of FOIC decision, only aggrievement by the decision must be shown. 221 C. 217. Cited. 222 C. 621. Cited. 227 C. 848. Cited. 234 C. 624. Cited. 240 C. 1; Id., 824. Cited. 242 C. 79.

Plaintiff as intervenor, not party, without standing to appeal pursuant to section. 13 CA 315. Cited. 14 CA 380; judgment reversed, see 210 C. 646. Cited. 19 CA 489. Cited. 36 CA 155. Cited. 41 CA 641; judgment reversed, see 240 C. 824. Cited. 42 CA 39; judgment reversed, see 241 C. 310.

Cited. 35 CS 186. Cited. 39 CS 176; Id., 257. Cited. 41 CS 267. Cited. 42 CS 84; Id., 129; Id., 291. Cited. 43 CS 246. Cited. 44 CS 230.

Annotations to present section:

Subsec. (b):

Legislature intended that the civil penalty provided by Subdiv. (2) would be the exclusive remedy for violation of a right conferred by Freedom of Information Act. 267 C. 669.

Subdiv. (2): Fines were valid when ordered after plaintiff refused to disclose records as ordered. 54 CA 373. Commission must ensure that employee whose records are the subject of an appeal has received notice of proceedings where the employer has failed to give required notice. 60 CA 584. Order of disclosure may not be issued until employee whose records are the subject of an appeal has been given proper notice and opportunity for a hearing to assert the personal privacy exemption. Id.

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**Secs. 1-207 to 1-209.** Reserved for future use.

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**Sec. 1-210. (Formerly Sec. 1-19). Access to public records. Exempt records.** (a) Except as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to (1) inspect such records promptly during regular office or business hours, (2) copy such records in accordance with subsection (g) of section 1-212, or (3) receive a copy of such records in accordance with section 1-212. Any agency rule or regulation, or part thereof, that conflicts with the provisions of this subsection or diminishes or curtails in any way the rights granted by this subsection shall be void. Each such agency shall keep and maintain all public records in its custody at its regular office or place of business in an accessible place and, if there is no such office or

place of business, the public records pertaining to such agency shall be kept in the office of the clerk of the political subdivision in which such public agency is located or of the Secretary of the State, as the case may be. Any certified record hereunder attested as a true copy by the clerk, chief or deputy of such agency or by such other person designated or empowered by law to so act, shall be competent evidence in any court of this state of the facts contained therein. Each such agency shall make, keep and maintain a record of the proceedings of its meetings.

(b) Nothing in the Freedom of Information Act shall be construed to require disclosure of:

(1) Preliminary drafts or notes provided the public agency has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure;

(2) Personnel or medical files and similar files the disclosure of which would constitute an invasion of personal privacy;

(3) Records of law enforcement agencies not otherwise available to the public which records were compiled in connection with the detection or investigation of crime, if the disclosure of said records would not be in the public interest because it would result in the disclosure of (A) the identity of informants not otherwise known or the identity of witnesses not otherwise known whose safety would be endangered or who would be subject to threat or intimidation if their identity was made known, (B) signed statements of witnesses, (C) information to be used in a prospective law enforcement action if prejudicial to such action, (D) investigatory techniques not otherwise known to the general public, (E) arrest records of a juvenile, which shall also include any investigatory files, concerning the arrest of such juvenile, compiled for law enforcement purposes, (F) the name and address of the victim of a sexual assault under section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or risk of injury, or impairing of morals under section 53-21, or of an attempt thereof, or (G) uncorroborated allegations subject to destruction pursuant to section 1-216;

(4) Records pertaining to strategy and negotiations with respect to pending claims or pending litigation to which the public agency is a party until such litigation or claim has been finally adjudicated or otherwise settled;

(5) (A) Trade secrets, which for purposes of the Freedom of Information Act, are defined as information, including formulas, patterns, compilations, programs, devices, methods, techniques, processes, drawings, cost data, or customer lists that (i) derive independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from their disclosure or use, and (ii) are the subject of efforts that are reasonable under the circumstances to maintain secrecy; and

(B) Commercial or financial information given in confidence, not required by statute;

(6) Test questions, scoring keys and other examination data used to administer a licensing examination, examination for employment or academic examinations;

(7) The contents of real estate appraisals, engineering or feasibility estimates and evaluations made

for or by an agency relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all proceedings or transactions have been terminated or abandoned, provided the law of eminent domain shall not be affected by this provision;

(8) Statements of personal worth or personal financial data required by a licensing agency and filed by an applicant with such licensing agency to establish the applicant's personal qualification for the license, certificate or permit applied for;

(9) Records, reports and statements of strategy or negotiations with respect to collective bargaining;

(10) Records, tax returns, reports and statements exempted by federal law or state statutes or communications privileged by the attorney-client relationship;

(11) Names or addresses of students enrolled in any public school or college without the consent of each student whose name or address is to be disclosed who is eighteen years of age or older and a parent or guardian of each such student who is younger than eighteen years of age, provided this subdivision shall not be construed as prohibiting the disclosure of the names or addresses of students enrolled in any public school in a regional school district to the board of selectmen or town board of finance, as the case may be, of the town wherein the student resides for the purpose of verifying tuition payments made to such school;

(12) Any information obtained by the use of illegal means;

(13) Records of an investigation or the name of an employee providing information under the provisions of section 4-61dd;

(14) Adoption records and information provided for in sections 45a-746, 45a-750 and 45a-751;

(15) Any page of a primary petition, nominating petition, referendum petition or petition for a town meeting submitted under any provision of the general statutes or of any special act, municipal charter or ordinance, until the required processing and certification of such page has been completed by the official or officials charged with such duty after which time disclosure of such page shall be required;

(16) Records of complaints, including information compiled in the investigation thereof, brought to a municipal health authority pursuant to chapter 368e or a district department of health pursuant to chapter 368f, until such time as the investigation is concluded or thirty days from the date of receipt of the complaint, whichever occurs first;

(17) Educational records which are not subject to disclosure under the Family Educational Rights and Privacy Act, 20 USC 1232g;

(18) Records, the disclosure of which the Commissioner of Correction, or as it applies to Whiting Forensic Division facilities of the Connecticut Valley Hospital, the Commissioner of Mental Health and Addiction Services, has reasonable grounds to believe may result in a safety risk, including the risk of



harm to any person or the risk of an escape from, or a disorder in, a correctional institution or facility under the supervision of the Department of Correction or Whiting Forensic Division facilities. Such records shall include, but are not limited to:

(A) Security manuals, including emergency plans contained or referred to in such security manuals;

(B) Engineering and architectural drawings of correctional institutions or facilities or Whiting Forensic Division facilities;

(C) Operational specifications of security systems utilized by the Department of Correction at any correctional institution or facility or Whiting Forensic Division facilities, except that a general description of any such security system and the cost and quality of such system may be disclosed;

(D) Training manuals prepared for correctional institutions and facilities or Whiting Forensic Division facilities that describe, in any manner, security procedures, emergency plans or security equipment;

(E) Internal security audits of correctional institutions and facilities or Whiting Forensic Division facilities;

(F) Minutes or recordings of staff meetings of the Department of Correction or Whiting Forensic Division facilities, or portions of such minutes or recordings, that contain or reveal information relating to security or other records otherwise exempt from disclosure under this subdivision;

(G) Logs or other documents that contain information on the movement or assignment of inmates or staff at correctional institutions or facilities; and

(H) Records that contain information on contacts between inmates, as defined in section 18-84, and law enforcement officers;

(19) Records when there are reasonable grounds to believe disclosure may result in a safety risk, including the risk of harm to any person, any government-owned or leased institution or facility or any fixture or appurtenance and equipment attached to, or contained in, such institution or facility, except that such records shall be disclosed to a law enforcement agency upon the request of the law enforcement agency. Such reasonable grounds shall be determined (A) with respect to records concerning any executive branch agency of the state or any municipal, district or regional agency, by the Commissioner of Public Works, after consultation with the chief executive officer of the agency; (B) with respect to records concerning Judicial Department facilities, by the Chief Court Administrator; and (C) with respect to records concerning the Legislative Department, by the executive director of the Joint Committee on Legislative Management. As used in this section, "government-owned or leased institution or facility" includes, but is not limited to, an institution or facility owned or leased by a public service company, as defined in section 16-1, a certified telecommunications provider, as defined in section 16-1, a water company, as defined in section 25-32a, or a municipal utility that furnishes electric, gas or water service, but does not include an institution or facility owned or leased by the federal government, and "chief executive officer" includes, but is not limited to, an agency head, department head, executive director or



chief executive officer. Such records include, but are not limited to:

- (i) Security manuals or reports;
- (ii) Engineering and architectural drawings of government-owned or leased institutions or facilities;
- (iii) Operational specifications of security systems utilized at any government-owned or leased institution or facility, except that a general description of any such security system and the cost and quality of such system, may be disclosed;
- (iv) Training manuals prepared for government-owned or leased institutions or facilities that describe, in any manner, security procedures, emergency plans or security equipment;
- (v) Internal security audits of government-owned or leased institutions or facilities;
- (vi) Minutes or records of meetings, or portions of such minutes or records, that contain or reveal information relating to security or other records otherwise exempt from disclosure under this subdivision;
- (vii) Logs or other documents that contain information on the movement or assignment of security personnel at government-owned or leased institutions or facilities;
- (viii) Emergency plans and emergency recovery or response plans; and
- (ix) With respect to a water company, as defined in section 25-32a, that provides water service: Vulnerability assessments and risk management plans, operational plans, portions of water supply plans submitted pursuant to section 25-32d that contain or reveal information the disclosure of which may result in a security risk to a water company, inspection reports, technical specifications and other materials that depict or specifically describe critical water company operating facilities, collection and distribution systems or sources of supply;

(20) Records of standards, procedures, processes, software and codes, not otherwise available to the public, the disclosure of which would compromise the security or integrity of an information technology system;

(21) The residential, work or school address of any participant in the address confidentiality program established pursuant to sections 54-240 to 54-240o, inclusive;

(22) The electronic mail address of any person that is obtained by the Department of Transportation in connection with the implementation or administration of any plan to inform individuals about significant highway or railway incidents.

(c) Whenever a public agency receives a request from any person confined in a correctional institution or facility or a Whiting Forensic Division facility, for disclosure of any public record under the Freedom of Information Act, the public agency shall promptly notify the Commissioner of Correction or the Commissioner of Mental Health and Addiction Services in the case of a person confined in a Whiting

Forensic Division facility of such request, in the manner prescribed by the commissioner, before complying with the request as required by the Freedom of Information Act. If the commissioner believes the requested record is exempt from disclosure pursuant to subdivision (18) of subsection (b) of this section, the commissioner may withhold such record from such person when the record is delivered to the person's correctional institution or facility or Whiting Forensic Division facility.

(d) Whenever a public agency, except the Judicial Department or Legislative Department, receives a request from any person for disclosure of any records described in subdivision (19) of subsection (b) of this section under the Freedom of Information Act, the public agency shall promptly notify the Commissioner of Public Works of such request, in the manner prescribed by the commissioner, before complying with the request as required by the Freedom of Information Act and for information related to a water company, as defined in section 25-32a, the public agency shall promptly notify the water company before complying with the request as required by the Freedom of Information Act. If the commissioner, after consultation with the chief executive officer of the applicable agency or after consultation with the chief executive officer of the applicable water company for information related to a water company, as defined in section 25-32a, believes the requested record is exempt from disclosure pursuant to subdivision (19) of subsection (b) of this section, the commissioner may direct the agency to withhold such record from such person. In any appeal brought under the provisions of section 1-206 of the Freedom of Information Act for denial of access to records for any of the reasons described in subdivision (19) of subsection (b) of this section, such appeal shall be against the Commissioner of Public Works, exclusively, or, in the case of records concerning Judicial Department facilities, the Chief Court Administrator or, in the case of records concerning the Legislative Department, the executive director of the Joint Committee on Legislative Management.

(e) Notwithstanding the provisions of subdivisions (1) and (16) of subsection (b) of this section, disclosure shall be required of:

(1) Interagency or intra-agency memoranda or letters, advisory opinions, recommendations or any report comprising part of the process by which governmental decisions and policies are formulated, except disclosure shall not be required of a preliminary draft of a memorandum, prepared by a member of the staff of a public agency, which is subject to revision prior to submission to or discussion among the members of such agency;

(2) All records of investigation conducted with respect to any tenement house, lodging house or boarding house as defined in section 19a-355, or any nursing home, residential care home or rest home, as defined in section 19a-490, by any municipal building department or housing code inspection department, any local or district health department, or any other department charged with the enforcement of ordinances or laws regulating the erection, construction, alteration, maintenance, sanitation, ventilation or occupancy of such buildings; and

(3) The names of firms obtaining bid documents from any state agency.

(1957, P.A. 428, S. 1; 1963, P.A. 260; 1967, P.A. 723, S. 1; 1969, P.A. 193; 1971, P.A. 193; P.A. 75-342, S. 2; P.A. 76-294; P.A. 77-609, S. 2, 8; P.A. 79-119; 79-324; 79-575, S. 2, 4; 79-599, S. 3; P.A. 80-

483, S. 1, 186; P.A. 81-40, S. 2; 81-431, S. 1; 81-448, S. 2; P.A. 83-436; P.A. 84-112, S. 1; 84-311, S. 2, 3; P.A. 85-577, S. 22; P.A. 90-335, S. 1; P.A. 91-140, S. 2, 3; P.A. 94-246, S. 14; P.A. 95-233; P.A. 96-130, S. 37; P.A. 97-47, S. 4; 97-112, S. 2; 97-293, S. 14, 26; P.A. 99-156, S. 1; P.A. 00-66, S. 5; 00-69, S. 3, 4; 00-134, S. 1; 00-136, S. 2; June Sp. Sess. P.A. 00-1, S. 20, 46; P.A. 01-26, S. 1; P.A. 02-133, S. 1, 2; 02-137, S. 2; P.A. 03-200, S. 17; June 30 Sp. Sess. P.A. 03-6, S. 104; P.A. 05-287, S. 26.)

History: 1963 act required that public records be kept in accessible place at regular office and at office of town clerk or secretary of the state if no regular office exists; 1967 act excluded certain records from definition of "public record" for disclosure purposes and required public agencies to keep records of proceedings; 1969 act provided that certified copies would be admitted as evidence in court proceedings; 1971 act required disclosure of records of investigations re tenement, lodging or boarding houses; P.A. 75-342 changed "town clerk" to "clerk of any political subdivision," rewrote provisions regarding exclusion of certain records from consideration as public records for disclosure purposes and specifically required disclosure of records of investigations re nursing or rest homes or homes for the aged; P.A. 76-294 clarified meaning of "arrest records of a juvenile"; P.A. 77-609 prohibited requiring disclosure of names and addresses of public school or college students; P.A. 79-119 replaced provision in Subsec. (a) which had allowed inspection or copying of records at reasonable time determined by their custodian with provision allowing inspection during office or business hours and copying as provided in Sec. 1-15; P.A. 79-324 clarified Subsec. (c); P.A. 79-575 provided exception to disclosure of students' names and addresses for use by towns in verifying tuition payments and prohibited requiring disclosure of information obtained illegally; P.A. 79-599 prohibited requiring disclosure of records or name of state employee providing information for "whistle blowing" investigation; P.A. 80-483 made technical changes; P.A. 81-40 amended Subsec. (b) to exclude adoption records and information provided for in Secs. 45-68e and 45-68i from disclosure requirements; P.A. 81-431 amended Subsec. (c) to specifically require disclosure of memoranda and other documents which constitute part of the process by which governmental decisions and policies are formulated with a limited exception for preliminary drafts of memoranda, rather than of "all records of investigation..." as previously provided; P.A. 81-448 protected from disclosure name and address of victim of sexual assault, injury or risk of injury or impairing or attempting to impair morals; P.A. 83-436 amended Subsec. (c) to require disclosure of names of firms obtaining bid documents from any state agency; P.A. 84-112 amended Subsec. (a) to provide that agency rules or regulations that conflict with that subsection or diminish rights granted by that subsection are void; P.A. 84-311 amended disclosure exemption for trade secrets in Subsec. (b) by eliminating limitation to information obtained from the public; P.A. 85-577 added Subdiv. (15) of Subsec. (b) regarding pages of a primary petition, a nominating petition, a referendum petition or a petition for a town meeting; P.A. 90-335 amended Subsec. (b) by adding Subdiv. (3)(F) re uncorroborated allegations subject to destruction pursuant to Sec. 1-20; P.A. 91-140 substituted "pending claims or pending litigation" for "pending claims and litigation" in Subsec. (b); P.A. 94-246 amended Subdiv. (3) of Subsec. (b) to add provision in Subpara. (A) re disclosure of "the identity of witnesses not otherwise known whose safety would be endangered or who would be subject to threat or intimidation if their identity was made known" and insert a new Subpara. (B) re disclosure of "signed statements of witnesses", relettering the remaining Subparas. accordingly; P.A. 95-233 amended Subsec. (b) by adding Subdiv. (16) re records of municipal health authorities and district departments of health complaints; P.A. 96-130 amended Subsec. (b)(14) by adding reference to Sec. 45a-751; P.A. 97-47 amended Subsec. (b) by substituting

"the Freedom of Information Act" for list of sections; P.A. 97-112 substituted "residential care home" for "home for the aged" in Subsec. (c); P.A. 97-293 amended Subsec. (b) to add Subdiv. (17) re educational records, effective July 1, 1997; Sec. 1-19 transferred to Sec. 1-210 in 1999; P.A. 99-156 amended Subsec. (b) by adding Subdiv. (18) re records that Commissioner of Correction believes may result in safety risk if disclosed and added new Subsec. (c) re requests for disclosure by persons confined in correctional institutions or facilities, relettering former Subsec. (c) as Subsec. (d); P.A. 00-66 made a technical change in Subsec. (b)(18); P.A. 00-69 amended Subsec. (b) to add new Subdiv. (19) re certain records that may result in a safety risk, inserted new Subsec. (d) re requests under Subdiv. (b)(19) made to a public agency other than the Judicial Department, and redesignated former Subsec. (d) as Subsec. (e), effective May 16, 2000; P.A. 00-134 amended Subsec. (b)(8) to substitute "the applicant's" for "his" and to add new Subdiv. (20) re records not otherwise available to the public, the disclosure of which would compromise the security or integrity of an information technology system; P.A. 00-136 redefined trade secrets in Subsec. (b)(5) and added Subpara. and clause designators in Subsec. (b)(5); June Sp. Sess. P.A. 00-1 amended Subsec. (b)(18) and Subsec. (c) to add references to Whiting Forensic Division facilities of Connecticut Valley Hospital and to Commissioner of Mental Health and Addiction Services, effective June 21, 2000; P.A. 01-26 made a technical change in Subsec. (b)(5)(A)(i); P.A. 02-133 amended Subsec. (b)(19) to provide that records be disclosed to a law enforcement agency upon request, substitute "government-owned" for "state-owned" re facilities, provide that reasonable grounds shall be determined by the Commissioner of Public Works after consultation with the chief executive officer of the agency, the Chief Court Administrator or the executive director of the Joint Committee on Legislative Management, insert new Subpara. designators "(A)" to "(C)", define "government-owned or leased institution or facility" and "chief executive officer", substitute "records include" for "records shall include" and "records" for "recordings", substitute clause designators "(i)" to "(vii)" for Subpara. designators "(A)" to "(G)", respectively, delete reference to emergency plans in clause (i) and add new clause (viii) re emergency plans and emergency recovery or response plans and amended Subsec. (d) to add provisions re the Legislative Department and to add "after consultation with the chief executive officer of the applicable agency" re the determination by the Commissioner of Public Works that a requested record is exempt from disclosure; P.A. 02-137 amended Subsec. (a) to designate existing provisions re right to inspect and receive copy as Subdivs. (1) and (3), add Subdiv. (2) re copying of records in accordance with Sec. 1-212(g), and delete "the provisions of" in Subdiv. (3); P.A. 03-200 amended Subsec. (b) by adding Subdiv. (21) re address of participant in address confidentiality program, effective January 1, 2004; June 30 Sp. Sess. P.A. 03-6 amended Subsec. (b)(19) by inserting "a water company, as defined in section 25-32a," in definition of "government-owned or leased institution or facility" and adding new clause (ix) re water company materials and amended Subsec. (d) by adding provisions re information related to a water company, effective August 20, 2003; P.A. 05-287 amended Subsec. (b) to add Subdiv. (22) re electronic mail addresses obtained by the Department of Transportation in connection with the administration of any plan to inform individuals about significant highway or railway incidents, effective July 13, 2005.

See Sec. 10-151c re records of teacher performance and evaluation not public records.

See Sec. 10a-154a re performance and evaluation records of faculty and professional staff members of the constituent units of the state system of higher education not public records.

See Sec. 11-25(b) re confidentiality of public library circulation records.

See Sec. 16a-14 re exemption for certain commercial and financial information.

See Secs. 52-165, 52-166, 52-167 re copies of records.

Annotations to former section 1-19:

Cited. 174 C. 308. Cited. 176 C. 622. Statute provides for exceptions under federal and state statutes. 178 C. 700. Cited. 181 C. 324. Sales tax delinquent lists are public records not exempt from disclosure under statute. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 166; Id., 310. Cited. 201 C. 421. Autopsy reports are not records accessible to general public under this section; judgment of appellate court reversed. Id., 448. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 209 C. 204; 210 C. 590 (see 217 C. 19, which overruled *Board of Education v. Freedom of Information Commission* (210 C. 590 et seq.) to the extent that it required a balancing test for the interpretation of the exemptions contained in Sec. 1-19(b)(2)); 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590 (see 217 C. 193, which overruled *Board of Education v. Freedom of Information Commission* (210 C. 590 et seq.) to the extent that it required a balancing test for the interpretation of the exemptions contained in Sec. 1-19(b)(2)); Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. Id. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Cited. Id., 322. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300. Cited. 221 C. 393. Freedom of Information Act (FOIA) cited. Id. Freedom of Information Act cited. Id., 482. Cited. Id., 549. Freedom of Information Act cited. Id. Freedom of Information Act (FOIA) cited. 222 C. 621. Cited. 227 C. 641; Id., 751. Freedom of Information Act (FOIA) cited. 228 C. 158; Id., 271. Freedom of Information Act cited. Id. Cited. 233 C. 28. Cited. 240 C. 1.

Cited. 1 CA 384. Freedom of Information Act cited. 4 CA 468. Cited. 8 CA 216. Freedom of Information Act cited. 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49. Cited. 18 CA 212. Freedom of Information Act cited. 19 CA 539; Id., 352; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Cited. 31 CA 178. Freedom of Information Act (FOIA) cited. 35 CA 111. Cited. 36 CA 155. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133. Statute requires evidentiary showing that the records sought are to be used in a law enforcement action and that disclosing such records would be prejudicial to the law enforcement action. 51 CA 100. Order that documents be disclosed under section was proper. 54 CA 373. A record request that is simply burdensome does not make that request one requiring research. 56 CA 683. Review of records to determine if one is exempt from disclosure does not constitute research. Id.

Cited. 31 CS 392. Construed as permitting public access to raw real estate assessment data. 32 CS 583. Document need not be connected with an official or completed transaction to be a public record. Id.,



588. Cited. 38 CS 675. Cited. 39 CS 176. Freedom of Information Act cited. 41 CS 31; Id., 267. Freedom of Information Act cited. 42 CS 84. Cited. Id., 129. Freedom of Information Act cited. Id. Cited. Id., 291. Freedom of Information Act cited. Id. Cited. 43 CS 246.

Presumed legislature, by insertion of exception clause, intended to exclude from operation of statute exclusive power over admission to bar vested in superior court by section 51-80. 4 Conn. Cir. Ct. 313. State's right to inspect records relating to building permits cannot be defeated by city ordinance. Id., 511. Section construed broadly in conjunction with statutes creating state boards of registration for professional engineers and architects. Id. Medical files public record, when. 6 Conn. Cir. Ct. 633.

Subsec. (a):

Woodstock Academy deemed a "public agency" within meaning of statute. Id., 544. Cited. 201 C. 448. Disclosure requirements do not apply to information that may be released under Sec. 29-170. 204 C. 609. Cited. 205 C. 767. Cited. 207 C. 698. Cited. 211 C. 339. Cited. 213 C. 126. Secs. 5-225 and 5-237 provide exceptions to this section. 214 C. 312. Cited. 219 C. 685. Cited. 221 C. 300; Id., 393. Cited. 222 C. 98. Cited. 228 C. 158. Cited. 241 C. 310.

Cited. 4 CA 468. General disclosure requirement of Sec. 1-19(a) does not prevail over specific limitation of disclosure obligations under Sec. 1-83. 18 CA 212. Cited. Id., 291. Cited. 22 CA 316. Cited. 29 CA 821. Cited. 35 CA 384. Cited. 39 CA 154. Cited. 41 CA 67. Cited. 44 CA 611; Id., 622. Cited. 45 CA 413.

Cited. 42 CS 291.

Subsec. (b):

Subdiv. (1): Term "preliminary drafts or notes" relates to advisory opinions, recommendations and deliberations comprising part of process by which government decisions and policies are formulated; they reflect that aspect of the agency's function that precedes formal and informal decision making. 181 C. 324. Cited. 182 C. 142. Subdiv. (3): Cited. 186 C. 153. Subdiv. (3): Cited. 197 C. 698. Subdiv. (10): Cited. 198 C. 498. Cited. 201 C. 448. Subdiv. (3)(B): Cited. 204 C. 609. Subdiv. (4): Commission's order of disclosure proper after city failed to establish on record that information falls within exemption. 205 C. 767. Subdiv. (10): Cited. Id. Subdiv. (2): Cited. 210 C. 590 (see 217 C. 193, which overruled *Board of Education v. Freedom of Information Commission* (210 C. 590 et seq.) to the extent that it required a balancing test for the interpretation of the exemptions contained in this Subdiv.). Subdiv. (1): Cited. 211 C. 339. Subdiv. (2): Cited. 214 C. 312. Cited. 216 C. 253. Subdiv. (10) cited. 217 C. 153. Subdiv. (1) cited. Id., 193. Subdiv. (2): Ruling in *Board of Education v. Freedom of Information Commission* (210 C. 590) overruled to the extent that it required a balancing test for the interpretation of the exemptions contained in this Subdiv. 217 C. 193. Subdiv. (11): Permits withholding of names of employees whose student status is a condition of their employment. Id., 322. Subdiv. (2): Section purports to protect an individual's personal privacy; retirees should be afforded opportunity to show a reasonable expectation of privacy in their addresses. 218 C. 256; Subdiv. (2) does not prevent disclosure of substance of public agency vote on motion concerning personnel matter. 221 C. 217. Subdiv. (4) cited. Id., 300. Subdiv. (3)

cited. Id. Subdiv. (2) cited. Id., 393; Id., 482; Id., 549. Subdiv. (2): Municipal permits to carry pistols or revolvers in public are not "similar" files entitled to exemption from disclosure under this section. 222 C. 621. Subdiv. (2) cited. 224 C. 325. Subdiv. (3)(E) cited. 226 C. 618. Cited. 227 C. 641. Subdiv. (2) cited. Id., 751. Subdiv. (2): Records request under FOIA for disclosure of numerical data concerning employees' attendance records including sick leave does not constitute invasion of personal privacy within meaning of the statute. 228 C. 158. Subdiv. (2) cited. Id., 271. Subdiv. (2) cited. 233 C. 28. Subdiv. (1) cited. Id., 28, 37. Subdiv. (9) cited. 234 C. 704. Subdiv. (4): Section applicable to bar disclosure of the report in question; judgment of appellate court in *Stamford v. Freedom of Information Commission*, 42 CA 39 reversed. 241 C. 310. Subdiv. (2) cited. 242 C. 79. Subdiv. (1): Unfinished report by attorney hired by municipality, as well as interview summaries and affidavits created solely to serve as supporting documentation for that report, constituted "preliminary drafts or notes". 245 C. 149. Subdiv. (10): Documents prepared by attorney hired by a public agency are protected from disclosure as privileged attorney-client communications if certain conditions are met. Id.

Subdiv. (4) cited. 4 CA 216. Subdiv. (10) cited. Id., 216. Subdiv. (1) cited. Id., 468. Subdiv. (2) cited. Id. Subdiv. (3): Autopsy report was not exempt from disclosure under this statute. Id. Cited. 4 CA 468. Subdiv. (2) cited. 14 CA 380; judgment reversed, see 210 C. 646. Cited. 19 CA 489; Id., 539. Subdiv. (2): Shield of confidentiality protects records of prisoner applicants for pardons. Id. Subdiv. (10) cited. Id., 671. Subdiv. (2) cited. 23 CA 479. Cited. 35 CA 384. Subdiv. (2) cited. 39 CA 154. Subdiv. (7) cited. 41 CA 67. Cited. Id., 649. Subdiv. (4) cited. 42 CA 39; judgment reversed, see 241 C. 310. Subdiv. (9) cited. 43 CA 133. Subdiv. (1) cited. 44 CA 611. Subdiv. (10) cited. Id. Cited. Id., 622. Subdiv. (1) cited. Id. Subdiv. (2) cited. Id. Subdiv. (3): Legislature has determined that disclosure would not be in the public interest and that no balancing is required. Id. Subdiv. (3)(G): Legislature has not required a balancing test prior to determination that a document is exempt from disclosure. Id. Disclosure of the names of employees disciplined by Department of Children and Families in connection with death of infant who was the subject of department investigation does not constitute an invasion of their personal privacy. 48 CA 467. Freedom of Information Act and rules of discovery provide independent methods of obtaining information except when it would limit discovery rights; legislative change from "effect" to "limit" discussed. 52 CA 12.

Subdiv. (2) cited. 39 CS 176. Subdiv. (2) cited. Id., 257. Subdiv. (6): Test questions and examination data already administered as well as those not yet administered are included in the exemption from disclosure. The exemption is characterized as "absolute". Id. Subdiv. (4) cited. 42 CS 84. P.A. 91-140 cited. Id. Subdiv. (10) cited. Id. Subdiv. (1) cited. Id., 129. Subdiv. (3)(B) cited. Id., 291. Subdiv. (4) cited. Id. Subdiv. (3)(A) cited. Id.

Subsec. (c):

Subdiv. (1) cited. 211 C. 339. Subdiv. (1): Legislature did not intend to require disclosure of drafts of memoranda prepared by persons who, although not staff members of the public agency, are hired on a contractual basis to perform tasks that are indistinguishable from those which may be performed by agency personnel. 245 C. 149.

Subdiv. (1) cited. 44 CA 611.

Annotations to present section:

Order that documents be disclosed under section was proper. 54 CA 373.

Subsec. (a):

Questions of discovery under Federal Rules of Civil Procedure are not what is meant by the phrase "otherwise provided by any federal law". 252 C. 377.

PowerPoint materials prepared by instructors in master gardener program at University of Connecticut not prepared, owned, used, received or retained by university not held to be records maintained or kept on file by public agency. 90 CA 101.

Subsec. (b):

Irrespective of the facts, complainant's identity and related information in a sexual harassment complaint is not always exempt from disclosure. 255 C. 651. Home addresses of public employees held not subject to disclosure where no public interest was served by exposing such information and the employees had taken significant steps to keep such information private. 256 C. 764. Subdiv. (10) does not violate separation of powers clause because it preserves powers of the judicial branch and does not delegate to Freedom of Information Commission the power to define attorney-client privilege. 260 C. 143. Subdiv. (2): Freedom of Information Act does not provide private right of action for FOIA violations. 267 C. 669. Party claiming exemption pursuant to Subdiv. (19) has burden of seeking public safety determination from Commissioner of Public Works. 274 C. 179.

Any and all public records consisting of preliminary drafts eligible for nondisclosure under subsection regardless of where originated. Consideration of abandonment of project on nondisclosure of preliminary drafts. 73 CA 89. Disclosure of PowerPoint materials prepared by instructors in master gardener program at University of Connecticut that are not exempted under subsec. is not required because exemption applies only to public records, and materials determined initially not to be public records. 90 CA 101. Subdiv. (1): There is no requirement that public agency provide its rationale for withholding disclosure of applicable records at a specific time. 91 CA 521.

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**Sec. 1-211. (Formerly Sec. 1-19a). Disclosure of computer-stored public records. Contracts. Acquisition of system, equipment, software to store or retrieve nonexempt public records.** (a) Any public agency which maintains public records in a computer storage system shall provide, to any person making a request pursuant to the Freedom of Information Act, a copy of any nonexempt data contained in such records, properly identified, on paper, disk, tape or any other electronic storage device or medium



requested by the person, if the agency can reasonably make such copy or have such copy made. Except as otherwise provided by state statute, the cost for providing a copy of such data shall be in accordance with the provisions of section 1-212.

(b) Except as otherwise provided by state statute, no public agency shall enter into a contract with, or otherwise obligate itself to, any person if such contract or obligation impairs the right of the public under the Freedom of Information Act to inspect or copy the agency's nonexempt public records existing on-line in, or stored on a device or medium used in connection with, a computer system owned, leased or otherwise used by the agency in the course of its governmental functions.

(c) On and after July 1, 1992, before any public agency acquires any computer system, equipment or software to store or retrieve nonexempt public records, it shall consider whether such proposed system, equipment or software adequately provides for the rights of the public under the Freedom of Information Act at the least cost possible to the agency and to persons entitled to access to nonexempt public records under the Freedom of Information Act. In meeting its obligations under this subsection, each state public agency shall consult with the Department of Information Technology as part of the agency's design analysis prior to acquiring any such computer system, equipment or software. The Department of Information Technology shall adopt written guidelines to assist municipal agencies in carrying out the purposes of this subsection. Nothing in this subsection shall require an agency to consult with said department prior to acquiring a system, equipment or software or modifying software, if such acquisition or modification is consistent with a design analysis for which such agency has previously consulted with said department. The Department of Information Technology shall consult with the Freedom of Information Commission on matters relating to access to and disclosure of public records for the purposes of this subsection. The provisions of this subsection shall not apply to software modifications which would not affect the rights of the public under the Freedom of Information Act.

(P.A. 75-342, S. 4; P.A. 90-307, S. 3, 5; P.A. 91-347, S. 1, 5; P.A. 97-47, S. 5; June 18 Sp. Sess. P.A. 97-9, S. 26, 50.)

History: P.A. 90-307 added Subsec. (b) re disclosure of copy of voter registration data maintained in a computer storage system; P.A. 91-347 repealed former Subsec. (a) which had required agencies to provide printouts of data, relettered former Subsec. (b) as Subsec. (a), amending provisions to apply to "public records" instead of "voter registration records", to substitute "nonexempt data contained in such records" for "voter registration data", to add clause "if the agency can reasonably make such copy or have such copy made" and to add a sentence re cost for a copy, added new Subsec. (b) re prohibition on contracts and obligations impairing public's right to inspect or copy computerized nonexempt public records, and added Subsec. (c) re agency requirements before acquiring computer system, equipment or software to store or retrieve nonexempt public records, effective July 1, 1992; P.A. 97-47 substituted "the Freedom of Information Act" for "this chapter"; June 18 Sp. Sess. P.A. 97-9 amended Subsec. (c) by substituting "Department of Information Technology" for "Office of Information and Technology", effective July 1, 1997; Sec. 1-19a transferred to Sec. 1-211 in 1999.

Annotations to former section 1-19a:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 234; Id., 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312; 216 C. 253. FOIA, Freedom of Information Act cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Printout copies, not computer diskettes, are appropriate responses to information requests. 22 CA 316. Freedom of Information Act (FOIA) cited. Id. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84. Cited. Id., 129. Freedom of Information Act cited. Id. Cited. Id., 291. Freedom of Information Act cited. Id.

Annotation to present section:

Subsec. (a):

Applicable to request for digital copy of all fields of information typically produced for every adult within Department of Correction database. 261 C. 86.

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**Sec. 1-212. (Formerly Sec. 1-15). Copies and scanning of public records. Fees.** (a) Any person applying in writing shall receive, promptly upon request, a plain or certified copy of any public record. The fee for any copy provided in accordance with the Freedom of Information Act:

(1) By an executive, administrative or legislative office of the state, a state agency or a department, institution, bureau, board, commission, authority or official of the state, including a committee of, or created by, such an office, agency, department, institution, bureau, board, commission, authority or official, and also including any judicial office, official or body or committee thereof but only in respect to its or their administrative functions, shall not exceed twenty-five cents per page; and

(2) By all other public agencies, as defined in section 1-200, shall not exceed fifty cents per page. If any copy provided in accordance with said Freedom of Information Act requires a transcription, or if any person applies for a transcription of a public record, the fee for such transcription shall not exceed the cost thereof to the public agency.

(b) The fee for any copy provided in accordance with subsection (a) of section 1-211 shall not exceed the cost thereof to the public agency. In determining such costs for a copy, other than for a printout which exists at the time that the agency responds to the request for such copy, an agency may include only:

(1) An amount equal to the hourly salary attributed to all agency employees engaged in providing the requested computer-stored public record, including their time performing the formatting or programming functions necessary to provide the copy as requested, but not including search or retrieval costs except as provided in subdivision (4) of this subsection;

(2) An amount equal to the cost to the agency of engaging an outside professional electronic copying service to provide such copying services, if such service is necessary to provide the copying as requested;

(3) The actual cost of the storage devices or media provided to the person making the request in complying with such request; and

(4) The computer time charges incurred by the agency in providing the requested computer-stored public record where another agency or contractor provides the agency with computer storage and retrieval services. Notwithstanding any other provision of this section, the fee for any copy of the names of registered voters shall not exceed three cents per name delivered or the cost thereof to the public agency, as determined pursuant to this subsection, whichever is less. The Department of Information Technology shall monitor the calculation of the fees charged for copies of computer-stored public records to ensure that such fees are reasonable and consistent among agencies.

(c) A public agency may require the prepayment of any fee required or permitted under the Freedom of Information Act if such fee is estimated to be ten dollars or more. The sales tax provided in chapter 219 shall not be imposed upon any transaction for which a fee is required or permissible under this section or section 1-227.

(d) The public agency shall waive any fee provided for in this section when:

(1) The person requesting the records is an indigent individual;

(2) The records located are determined by the public agency to be exempt from disclosure under subsection (b) of section 1-210;

(3) In its judgment, compliance with the applicant's request benefits the general welfare; or

(4) The person requesting the record is an elected official of a political subdivision of the state and the official (A) obtains the record from an agency of the political subdivision in which the official serves, and (B) certifies that the record pertains to the official's duties.

(e) Except as otherwise provided by law, the fee for any person who has the custody of any public records or files for certifying any copy of such records or files, or certifying to any fact appearing therefrom, shall be for the first page of such certificate, or copy and certificate, one dollar; and for each additional page, fifty cents. For the purpose of computing such fee, such copy and certificate shall be deemed to be one continuous instrument.

(f) The Secretary of the State, after consulting with the chairperson of the Freedom of Information Commission, the Commissioner of Correction and a representative of the Judicial Department, shall propose a fee structure for copies of public records provided to an inmate, as defined in section 18-84, in accordance with subsection (a) of this section. The Secretary of the State shall submit such proposed fee structure to the joint standing committee of the General Assembly having cognizance of matters relating to government administration, not later than January 15, 2000.

(g) Any individual may copy a public record through the use of a hand-held scanner. A public agency may establish a fee structure not to exceed ten dollars for an individual to pay each time the individual copies records at the agency with a hand-held scanner. As used in this section, "hand-held scanner" means a battery operated electronic scanning device the use of which (1) leaves no mark or impression on the public record, and (2) does not unreasonably interfere with the operation of the public agency.

(1949 Rev., S. 3625; 1959, P.A. 352, S. 1; P.A. 75-342, S. 5; P.A. 77-609, S. 3, 8; P.A. 89-251, S. 56, 203; P.A. 90-307, S. 4, 5; P.A. 91-347, S. 2, 5; P.A. 93-188, S. 1, 2; P.A. 94-112, S. 1; P.A. 95-144, S. 1; P.A. 97-47, S. 2, 3; June 18 Sp. Sess. P.A. 97-9, S. 25, 50; P.A. 99-71, S. 2; 99-156, S. 2; P.A. 00-66, S. 6; P.A. 02-137, S. 3.)

History: 1959 act doubled fees for certifying copies of records; P.A. 75-342 provided that copies of public records be provided upon written request, that fees for copies, printouts or transcriptions of public records not exceed their cost and that fees be waived in certain cases; P.A. 77-609 differentiated between fees charged for copies and fees charged for printouts or transcriptions, allowed agencies to require prepayment of fees and prohibited charging sales tax for fees estimated to be \$10.00 or more; P.A. 89-251 increased the maximum fee for copies from twenty-five cents per page to fifty cents per page; P.A. 90-307 deleted provisions re maximum fee for a "printout" and added sentence re maximum fees for copies provided under Sec. 1-19a(b); P.A. 91-347 divided section into Subsecs., deleted reference to Subsec. (a) of Sec. 1-19a in Subsec. (a) and added provisions in Subsec. (b) re costs for a copy other than a printout, effective July 1, 1992; P.A. 93-188 amended Subsec. (b) to apply provisions re agency determination of costs to printout which does not exist at time agency responds to request for a copy and delete provisions giving secretary of office of policy and management jurisdiction over fee disputes re computer-stored records, effective June 23, 1993; P.A. 94-112 amended Subsec. (a) by deleting reference to Sec. 1-21j, adding reference to Sec. 1-21l, adding Subdiv. (1) re offices for which the fee for providing copies shall not exceed twenty-five cents per page and adding reference to "all other public agencies" in Subdiv. (2), and added new Subsec. (f) re fee structure proposal; P.A. 95-144 added implied reference to "1-21j" and deleted "1-21l" in Subsec. (a); P.A. 97-47 amended Subsecs. (a) and (c) by substituting "the Freedom of Information Act" for list of sections and for "this chapter", respectively; June 18 Sp. Sess. P.A. 97-9 amended Subsec. (b) by substituting "Department of Information Technology" for "Office of

Information and Technology", effective July 1, 1997; Sec. 1-15 transferred to Sec. 1-212 in 1999; P.A. 99-71 deleted former Subsec. (f) which had required Secretary of the State to propose fee structure for copies of public records; P.A. 99-156 added Subsec. (g), codified by the Revisors as Subsec. (f), re proposed fee structure for copies provided to inmates; P.A. 00-66 made a technical change in Subsec. (f); P.A. 02-137 added new Subsec. (d)(4) re records provided to an elected official of a political subdivision and added new Subsec. (g) re the use of a hand-held scanner.

#### Annotations to former section 1-15:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 182 C. 138. Cited. (Reference made to Public Acts 1977, No. 77-609.) Id., 142. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442. Cited. 210 C. 590. Cited. 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. Id. FOIA, Freedom of Information Act cited. 217 C. 153. Freedom of Information Act (FOIA) cited. 217 C. 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Cited. 227 C. 641. Cited. 228 C. 158. Freedom of Information Act (FOIA) cited. Id. Freedom of Information Act cited. Id., 271. Cited. 240 C. 1.

Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Cited. 22 CA 316. Printout copies, not computer diskettes, are appropriate responses to information requests. Id. Freedom of Information Act (FOIA) cited. Id. Cited. 29 CA 547. Freedom of Information Act (FOIA) cited. Id., 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Cited. 36 CA 155. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Cited. 41 CA 67. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267. Freedom of Information Act cited. 42 CS 84. Cited. Id., 129. Freedom of Information Act cited. Id. Cited. Id., 291. Cited. 43 CS 246.

#### Subsec. (a):

Cited. 241 C. 310.

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**Sec. 1-213. (Formerly Sec. 1-19b). Agency administration. Disclosure of personnel, birth and tax records. Disclosure of voice mails by public agencies. Judicial records and proceedings.** (a) The

Freedom of Information Act shall be:

(1) Construed as requiring each public agency to open its records concerning the administration of such agency to public inspection; and

(2) Construed as requiring each public agency to disclose information in its personnel files, birth records or confidential tax records to the individual who is the subject of such information.

(b) Nothing in the Freedom of Information Act shall be deemed in any manner to:

(1) Affect the status of judicial records as they existed prior to October 1, 1975, nor to limit the rights of litigants, including parties to administrative proceedings, under the laws of discovery of this state;

(2) Require disclosure of any record of a personnel search committee which, because of name or other identifying information, would reveal the identity of an executive level employment candidate without the consent of such candidate; or

(3) Require any public agency to transcribe the content of any voice mail message and retain such record for any period of time. As used in this subdivision, "voice mail" means all information transmitted by voice for the sole purpose of its electronic receipt, storage and playback by a public agency.

(P.A. 75-342, S. 3; P.A. 79-118; P.A. 87-568, S. 3; P.A. 94-246, S. 15; P.A. 97-47, S. 6; P.A. 04-171, S. 1.)

History: P.A. 79-118 provided that Secs. 1-15, 1-18a, 1-19 to 1-19b and 1-21 to 1-21k be construed to require public agencies to open records concerning their administration and to disclose personnel, birth and tax records to individuals; P.A. 87-568 added Subdiv. (2) to Subsec. (b), specifying when disclosure of any record of a personnel search committee not required; P.A. 94-246 amended Subsec. (b) to replace in Subdiv. (1) "affect the rights of litigants" with "limit the rights of litigants"; P.A. 97-47 substituted "the Freedom of Information Act" for list of sections; Sec. 1-19b transferred to Sec. 1-213 in 1999; P.A. 04-171 amended Subsec. (b) to add Subdiv. (3) re voice mail messages, effective June 1, 2004.

Annotations to former section 1-19b:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. Id. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Cited. 227 C. 641. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.



Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

Subsec. (b):

Cited. 213 C. 126. Cited. 221 C. 300. Cited. 233 C. 28. Subdiv. (1) cited. 241 C. 310.

Subdiv. (1) cited. 42 CA 39; judgment reversed, see 241 C. 310.

Cited. 42 CS 291.

Annotations to present section:

Subsec. (b):

That nothing in the act shall "limit the rights of litigant ... under the laws of discovery of this state ..." means requests for records under the act are to be determined by reference to provisions of the act, irrespective of whether they are or otherwise would be disclosable under the rules of state discovery, whether civil or criminal. 252 C. 377.

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**Sec. 1-214. (Formerly Sec. 1-20a). Public employment contracts as public record. Objection to disclosure of personnel or medical files.** (a) Any contract of employment to which the state or a political subdivision of the state is a party shall be deemed to be a public record for the purposes of section 1-210.

(b) Whenever a public agency receives a request to inspect or copy records contained in any of its employees' personnel or medical files and similar files and the agency reasonably believes that the disclosure of such records would legally constitute an invasion of privacy, the agency shall immediately notify in writing (1) each employee concerned, provided such notice shall not be required to be in writing where impractical due to the large number of employees concerned and (2) the collective bargaining representative, if any, of each employee concerned. Nothing herein shall require an agency to withhold from disclosure the contents of personnel or medical files and similar files when it does not reasonably believe that such disclosure would legally constitute an invasion of personal privacy.

(c) A public agency which has provided notice under subsection (b) of this section shall disclose the records requested unless it receives a written objection from the employee concerned or the employee's collective bargaining representative, if any, within seven business days from the receipt by the employee or such collective bargaining representative of the notice or, if there is no evidence of receipt of written notice, not later than nine business days from the date the notice is actually mailed, sent, posted or otherwise given. Each objection filed under this subsection shall be on a form prescribed by the public agency, which shall consist of a statement to be signed by the employee or the employee's collective bargaining representative, under the penalties of false statement, that to the best of his knowledge, information and belief there is good ground to support it and that the objection is not interposed for delay. Upon the filing of an objection as provided in this subsection, the agency shall not disclose the requested records unless ordered to do so by the Freedom of Information Commission pursuant to section 1-206. Failure to comply with a request to inspect or copy records under this section shall constitute a denial for the purposes of section 1-206. Notwithstanding any provision of this subsection or subsection (b) of section 1-206 to the contrary, if an employee's collective bargaining representative files a written objection under this subsection, the employee may subsequently approve the disclosure of the records requested by submitting a written notice to the public agency.

(P.A. 73-271; P.A. 78-331, S. 1, 58; P.A. 87-285, S. 1; P.A. 88-353, S. 1, 4; P.A. 92-207, S. 1.)

History: P.A. 78-331 deleted reference to repealed Sec. 1-20; P.A. 87-285 added Subsecs. (b) and (c), granting employees the right to object to the disclosure of their personnel or medical files and establishing standards and procedures for such objections; P.A. 88-353 added Subdiv. (2) to Subsec. (b), re notice to collective bargaining representative, and amended Subsec. (c) to allow collective bargaining representative to object to disclosure of records, to require objection to be on agency form signed under penalties of false statement and to allow employee to approve disclosure if collective bargaining representative objects; P.A. 92-207 amended Subsec. (c) by increasing the number of days for receiving a written objection from an employee or collective bargaining representative re disclosure of records from four to seven and increasing the time limit re the nonreceipt of the written notice from seven to nine; Sec. 1-20a transferred to Sec. 1-214 in 1999.

#### Annotations to former section 1-20a:

Connecticut Freedom of Information Act, Secs. 1-7-1-21k, cited. 206 C. 449. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Cited. 227 C. 751. Freedom of Information Act (FOIA) cited. 228 C. 158. Cited. Id., 271. Freedom of Information Act cited. Id. Cited. 233 C. 28.

Freedom of Information Act (FOIA) cited. 16 CA 49; 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et



seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 42 CS 84; Id., 129; Id., 291.

Subsec. (b):

Cited. 228 C. 158.

Commission must ensure that an employee whose records are the subject of an appeal has received notice of proceedings where the employer has failed to give required notice. 60 CA 584.

Annotation to present section:

Subsec. (b):

Commission must ensure that employee whose records are the subject of an appeal has received notice of proceedings where employer has failed to give required notice. 60 CA 584.

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**Sec. 1-214a. Disclosure of public agency termination, suspension or separation agreement containing confidentiality provision.** Any agreement entered into by any public agency, as defined in section 1-200, with an employee or personal services contractor providing for the termination, suspension or separation from employment of such employee or the termination or suspension of the provision of personal services by such contractor, as the case may be, that contains a confidentiality provision that prohibits or restricts such public agency from disclosing the existence of the agreement or the cause or causes for such termination, suspension or separation including, but not limited to, alleged or substantiated sexual abuse, sexual harassment, sexual exploitation or sexual assault by such employee or contractor, shall be subject to public disclosure under this chapter.

(P.A. 06-132, S. 1.)

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**Sec. 1-215. (Formerly Sec. 1-20b). Record of an arrest as public record. Exception.** (a) Notwithstanding any provision of the general statutes to the contrary, and except as otherwise provided in this section, any record of the arrest of any person, other than a juvenile, except a record erased pursuant

to chapter 961a, shall be a public record from the time of such arrest and shall be disclosed in accordance with the provisions of section 1-212 and subsection (a) of section 1-210, except that disclosure of data or information other than that set forth in subdivision (1) of subsection (b) of this section shall be subject to the provisions of subdivision (3) of subsection (b) of section 1-210. Any personal possessions or effects found on a person at the time of such person's arrest shall not be disclosed unless such possessions or effects are relevant to the crime for which such person was arrested.

(b) For the purposes of this section, "record of the arrest" means (1) the name and address of the person arrested, the date, time and place of the arrest and the offense for which the person was arrested, and (2) at least one of the following, designated by the law enforcement agency: The arrest report, incident report, news release or other similar report of the arrest of a person.

(P.A. 83-272, S. 1; P.A. 94-117, S. 4; 94-246, S. 13.)

History: P.A. 94-117 added provision prohibiting disclosure of personal possessions or effects found on person at time of arrest unless such possessions or effects are relevant to the crime; P.A. 94-246 divided Sec. into Subsecs., amended Subsec. (a) to add exception that disclosure of data or information other than that set forth in Subsec. (b)(1) is subject to Sec. 1-19(b)(3) and amended Subsec. (b) to add Subdiv. (2) re arrest report, incident report, news release or other similar report of the arrest of a person; Sec. 1-20b transferred to Sec. 1-215 in 1999.

#### Annotations to former section 1-20b:

Connecticut Freedom of Information Act, Secs. 1-7-1-21k, cited. 206 C. 449. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Section provides for both a requirement of disclosure and a limit on the extent of that disclosure. It does not require full disclosure of arrest reports during pendency of a criminal prosecution. 227 C. 641. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Freedom of Information Act (FOIA) cited. 16 CA 49; 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 42 CS 84; Id., 129. Cited. Id., 291. Freedom of Information Act cited. Id.

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**Sec. 1-216. (Formerly Sec. 1-20c). Review and destruction of records consisting of uncorroborated allegations of criminal activity.** Except for records the retention of which is otherwise controlled by law or regulation, records of law enforcement agencies consisting of uncorroborated allegations that an individual has engaged in criminal activity shall be reviewed by the law enforcement agency one year after the creation of such records. If the existence of the alleged criminal activity cannot be corroborated within ninety days of the commencement of such review, the law enforcement agency shall destroy such records.

(P.A. 88-227, S. 2, 4.)

History: P.A. 88-227 effective July 1, 1989; Sec. 1-20c transferred to Sec. 1-216 in 1999.

Annotations to former section 1-20c:

FOIA, Freedom of Information Act cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133. Nothing in public act establishing section suggests that it was to apply only to allegations of criminal activity made by police rather than allegations made to police. 44 CA 622. P.A. 88-227 cited. Id.

Freedom of Information Act cited. 42 CS 84; Id., 129; Id., 291.

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**Sec. 1-217. (Formerly Sec. 1-20f). Nondisclosure of residential addresses of certain individuals.**  
(a) No public agency may disclose, under the Freedom of Information Act, the residential address of any of the following persons:

- (1) A federal court judge, federal court magistrate, judge of the Superior Court, Appellate Court or Supreme Court of the state, or family support magistrate;
- (2) A sworn member of a municipal police department or a sworn member of the Division of State

Police within the Department of Public Safety;

(3) An employee of the Department of Correction;

(4) An attorney-at-law who represents or has represented the state in a criminal prosecution;

(5) An attorney-at-law who is or has been employed by the Public Defender Services Division or a social worker who is employed by the Public Defender Services Division;

(6) An inspector employed by the Division of Criminal Justice;

(7) A firefighter;

(8) An employee of the Department of Children and Families;

(9) A member or employee of the Board of Pardons and Paroles;

(10) An employee of the judicial branch; or

(11) A member or employee of the Commission on Human Rights and Opportunities.

(b) The business address of any person described in this section shall be subject to disclosure under section 1-210. The provisions of this section shall not apply to Department of Motor Vehicles records described in section 14-10.

(P.A. 95-163; P.A. 96-83, S. 1, 3; P.A. 97-219, S. 2; P.A. 99-26, S. 27, 39; 99-77, S. 1; 99-156, S. 3; P.A. 01-186, S. 17; P.A. 02-53, S. 1; P.A. 04-234, S. 2; 04-257, S. 114; P.A. 05-108, S. 2.)

History: P.A. 96-83 added Subdiv. (6) re nondisclosure of residential address of inspector employed by Division of Criminal Justice (Revisor's note: In 1997 references throughout the general statutes to "Motor Vehicle(s) Commissioner" and "Motor Vehicle(s) Department" were replaced editorially by the Revisors with "Commissioner of Motor Vehicles" or "Department of Motor Vehicles", as the case may be, for consistency with customary statutory usage); P.A. 97-219 added Subdiv. (7) re nondisclosure of residential address of a firefighter; Sec. 1-20f transferred to Sec. 1-217 in 1999; P.A. 99-26 added Subdiv. (8) re nondisclosure of residential address of an employee of the Department of Children and Families, effective May 7, 1999; P.A. 99-77 inserted Subsec. indicators and amended Subsec. (a) to add Subdiv. (9) re nondisclosure of residential address of a member or employee of the Board of Parole and delete provision requiring any of the enumerated persons who seeks nondisclosure of such person's residential address to submit a written request for such nondisclosure and furnish his business address to the executive head of the department, agency, board, council, commission or institution; P.A. 99-156 substituted "public agency" for "state department, agency, board, council, commission or institution" in introductory provision; P.A. 01-186 amended Subsec. (a) by including social workers employed by Public Defender Services Division in Subdiv. (5) and by adding Subdiv. (10) re employees of judicial branch; P.A. 02-53 amended Subsec. (a) by adding Subdiv. (11) re members and employees of the Commission on Human Rights and Opportunities; P.A. 04-234 replaced Board of Parole with Board of

Pardons and Paroles in Subsec. (a)(9), effective July 1, 2004; P.A. 04-257 amended Subsec. (a)(9) to delete reference to an employee of the Board of Parole, effective June 14, 2004; P.A. 05-108 amended Subsec. (a)(9) to restore reference to an "employee" of the Board of Pardons and Paroles, effective June 7, 2005.

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**Sec. 1-218. Certain contracts for performance of governmental functions. Records and files subject to Freedom of Information Act.** Each contract in excess of two million five hundred thousand dollars between a public agency and a person for the performance of a governmental function shall (1) provide that the public agency is entitled to receive a copy of records and files related to the performance of the governmental function, and (2) indicate that such records and files are subject to the Freedom of Information Act and may be disclosed by the public agency pursuant to the Freedom of Information Act. No request to inspect or copy such records or files shall be valid unless the request is made to the public agency in accordance with the Freedom of Information Act. Any complaint by a person who is denied the right to inspect or copy such records or files shall be brought to the Freedom of Information Commission in accordance with the provisions of sections 1-205 and 1-206.

(P.A. 01-169, S. 2.)

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**Sec. 1-219. Veterans' military records.** (a) As used in this section: (1) "Armed forces" means the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States; (2) "veteran" means any person honorably discharged from, or released under honorable conditions from active service or reserve status in the armed forces; (3) "military discharge document" means a United States Department of Defense form, including, but not limited to, a DD 214 form, or any valid paper that evidences the service, discharge or retirement of a veteran from the armed forces that contains personal information such as a service number or Social Security number; (4) "person" means any individual or entity, including, but not limited to, a relative of a veteran, a licensed funeral director or embalmer, an attorney-at-law, an attorney-in-fact, an insurance company or a veterans' advocate; and (5) "public agency" or "agency" means a public agency, as defined in section 1-200.

(b) A veteran or designee may file a military discharge document with the town clerk of the town in which the veteran resides or with any other public agency if the military discharge document is related to the business of the town or other agency, and the town or agency shall maintain and record the military

discharge document in accordance with this section.

(c) Notwithstanding any provision of chapter 55, or any provision of section 11-8 or 11-8a, any military discharge document filed by or on behalf of a veteran with a public agency before, on or after October 1, 2002, except a military discharge document recorded before October 1, 2002, on the land records of a town, shall be retained by the agency separate and apart from the other records of the agency. The contents of such document shall be confidential for at least seventy-five years from the date the document is filed with the public agency, except that:

(1) The information contained in the document shall be available to the veteran, or a conservator of the person of the veteran or a conservator of the estate of the veteran, at all times;

(2) Any information contained in such military discharge document which is necessary to establish, or that aids in establishing, eligibility for any local, state or federal benefit or program applied for by, or on behalf of, the veteran, including, but not limited to, the name of the veteran, the veteran's residential address, dates of qualifying active or reserve military service, or military discharge status, shall be available to the public at all times; and

(3) In addition to the information available under subdivision (2) of this subsection, any other information contained in the document shall be available to (A) any person who may provide a benefit to, or acquire a benefit for, the veteran or the estate of the veteran, provided the person needs the information to provide the benefit and submits satisfactory evidence of such need to the agency, (B) the State Librarian as required for the performance of his or her duties, and (C) a genealogical society incorporated or authorized by the Secretary of the State to do business or conduct affairs in this state or a member of such genealogical society.

(d) The provisions of this section concerning the maintenance and recording of Department of Defense documents shall not apply to the State Library Board or the State Librarian.

(P.A. 02-137, S. 1.)

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**Secs. 1-220 to 1-224.** Reserved for future use.

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**Sec. 1-225. (Formerly Sec. 1-21). Meetings of government agencies to be public. Recording of votes. Schedule and agenda of meetings to be filed. Notice of special meetings. Executive sessions.**

(a) The meetings of all public agencies, except executive sessions, as defined in subdivision (6) of section 1-200, shall be open to the public. The votes of each member of any such public agency upon any issue before such public agency shall be reduced to writing and made available for public inspection within forty-eight hours and shall also be recorded in the minutes of the session at which taken, which minutes shall be available for public inspection within seven days of the session to which they refer.

(b) Each such public agency of the state shall file not later than January thirty-first of each year in the office of the Secretary of the State the schedule of the regular meetings of such public agency for the ensuing year, except that such provision shall not apply to the General Assembly, either house thereof or to any committee thereof. Any other provision of the Freedom of Information Act notwithstanding, the General Assembly at the commencement of each regular session in the odd-numbered years, shall adopt, as part of its joint rules, rules to provide notice to the public of its regular, special, emergency or interim committee meetings. The chairperson or secretary of any such public agency of any political subdivision of the state shall file, not later than January thirty-first of each year, with the clerk of such subdivision the schedule of regular meetings of such public agency for the ensuing year, and no such meeting of any such public agency shall be held sooner than thirty days after such schedule has been filed. The chief executive officer of any multitown district or agency shall file, not later than January thirty-first of each year, with the clerk of each municipal member of such district or agency, the schedule of regular meetings of such public agency for the ensuing year, and no such meeting of any such public agency shall be held sooner than thirty days after such schedule has been filed.

(c) The agenda of the regular meetings of every public agency, except for the General Assembly, shall be available to the public and shall be filed, not less than twenty-four hours before the meetings to which they refer, in such agency's regular office or place of business or, if there is no such office or place of business, in the office of the Secretary of the State for any such public agency of the state, in the office of the clerk of such subdivision for any public agency of a political subdivision of the state or in the office of the clerk of each municipal member of any multitown district or agency. Upon the affirmative vote of two-thirds of the members of a public agency present and voting, any subsequent business not included in such filed agendas may be considered and acted upon at such meetings.

(d) Notice of each special meeting of every public agency, except for the General Assembly, either house thereof or any committee thereof, shall be given not less than twenty-four hours prior to the time of such meeting by filing a notice of the time and place thereof in the office of the Secretary of the State for any such public agency of the state, in the office of the clerk of such subdivision for any public agency of a political subdivision of the state and in the office of the clerk of each municipal member for any multitown district or agency. The secretary or clerk shall cause any notice received under this section to be posted in his office. Such notice shall be given not less than twenty-four hours prior to the time of the special meeting; provided, in case of emergency, except for the General Assembly, either house thereof or any committee thereof, any such special meeting may be held without complying with the foregoing requirement for the filing of notice but a copy of the minutes of every such emergency special meeting adequately setting forth the nature of the emergency and the proceedings occurring at such meeting shall

be filed with the Secretary of the State, the clerk of such political subdivision, or the clerk of each municipal member of such multitown district or agency, as the case may be, not later than seventy-two hours following the holding of such meeting. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by such public agency. In addition, such written notice shall be delivered to the usual place of abode of each member of the public agency so that the same is received prior to such special meeting. The requirement of delivery of such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the public agency a written waiver of delivery of such notice. Such waiver may be given by telegram. The requirement of delivery of such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. Nothing in this section shall be construed to prohibit any agency from adopting more stringent notice requirements.

(e) No member of the public shall be required, as a condition to attendance at a meeting of any such body, to register the member's name, or furnish other information, or complete a questionnaire or otherwise fulfill any condition precedent to the member's attendance.

(f) A public agency may hold an executive session, as defined in subdivision (6) of section 1-200, upon an affirmative vote of two-thirds of the members of such body present and voting, taken at a public meeting and stating the reasons for such executive session, as defined in section 1-200.

(g) In determining the time within which or by when a notice, agenda, record of votes or minutes of a special meeting or an emergency special meeting are required to be filed under this section, Saturdays, Sundays, legal holidays and any day on which the office of the agency, the Secretary of the State or the clerk of the applicable political subdivision or the clerk of each municipal member of any multitown district or agency, as the case may be, is closed, shall be excluded.

(1957, P.A. 468, S. 1; 1967, P.A. 723, S. 2; 1971, P.A. 499; P.A. 75-342, S. 6; P.A. 76-435, S. 63, 82; P.A. 77-609, S. 4, 8; P.A. 83-67, S. 2; 83-148; P.A. 84-546, S. 4, 173; P.A. 85-613, S. 3, 154; P.A. 97-47, S. 8; P.A. 99-71, S. 1; P.A. 00-66, S. 7.)

History: 1967 act required filing schedules for meetings of public bodies with secretary of the state or clerks in political subdivisions of the state and made provisions regarding special meetings; 1971 act required that votes taken in closed executive sessions be available for public inspection and recorded in the minutes; P.A. 75-342 excluded the general assembly and its committees from provision requiring that schedule of meetings be filed, expanded provisions re special meetings and changed vote margin required to hold closed executive session from simple majority to two-thirds majority; P.A. 76-435 made technical changes; P.A. 77-609 required that the general assembly provide in its joint rules for giving notice of meetings, made provisions regarding agendas for regular public meetings and required that written notice of special meetings be sent to agency members; P.A. 83-67 required multitown districts and agencies to notify their member towns of the schedule of regular and special meetings and to file minutes of such meetings; P.A. 83-148 added a new Subsec. (b) which clarifies the method to be used in determining the time in which a notice or agenda is required to be given, deleting provisions in former language, now Subsec. (a), made redundant by its inclusion and adding provisions in Subsec. (a) requiring secretary or



clerk to post notice in his office and requiring that notice be given at least twenty-four hours before time of special meeting; P.A. 84-546 amended Subsec. (b) to apply provisions to "offices of the clerk of each municipal member of any multitown district or agency"; P.A. 85-613 made technical changes, deleting reference to Sec. 2-45; P.A. 97-47 substituted "the Freedom of Information Act" for list of sections; Sec. 1-21 transferred to Sec. 1-225 in 1999; P.A. 99-71 amended Subsec. (b) by substituting "record of votes or minutes of a special meeting or an emergency special meeting are" for "or other information is" and repealing "given, made available, posted or" before "filed"; P.A. 00-66 divided former Subsec. (a) into multiple subsections, relettered former Subsec. (b) as Subsec. (g) and made technical changes.

See Secs. 1-227 to 1-231, inclusive, for requirements applicable with respect to public meetings, hearings and executive sessions of public agencies.

#### Annotations to former section 1-21:

Where statute requires vote of each board member be recorded, absence of record of dissenting vote indicated affirmative vote. 148 C. 622. Cited. 170 C. 588. Cited. 174 C. 308. Cited. 181 C. 324. Cited. 182 C. 138; Id., 142. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 183; Id., 234; Id., 310. Cited. 198 C. 498. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. Id. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA), Sec. 1-18a et seq. cited. Id., 757. Cited. 219 C. 685. Freedom of Information Act (FOIA) Sec. 1-18 et seq. cited. 220 C. 225. Cited. 221 C. 217. Freedom of Information Act (FOIA) cited. Id.; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271. Cited. 234 C. 704. Cited. 240 C. 835. Notice under Freedom of Information Act (FOIA) was adequate for a site inspection under the Inland Wetlands Act. 243 C. 266.

Cited. 2 CA 600. Cited. 4 CA 216. Freedom of Information Act cited. Id., 468; 14 CA 380; judgment reversed, see 210 C. 646. Cited. Id. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Cited. 31 CA 690. Cited. 35 CA 111. Freedom of Information Act (FOIA) cited. Id. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Cited. Id., 700; judgment reversed, see 240 C. 835. Freedom of Information Act cited. 43 CA 133. Cited. Id., 227.

Plaintiff newspaper reporter as a member of the public has standing to challenge the closing of a town council meeting without required vote. Provision of the Enfield charter that all meetings of the town council be open to the public must yield to state statutes. Where council is exercising its administrative and executive powers, it may close its sessions. 31 CS 329. The commission's interpretation that an emergency meeting may be held only when there is no time for a special meeting notice to be posted twenty-four hours in advance was considered reasonable. 39 CS 56. Cited. 40 CS 233. Freedom of

Information Act cited. 41 CS 31; Id., 267. Cited. Id. Cited. 42 CS 84. Freedom of Information Act cited. Id.; Id., 129; Id., 291.

Presumed legislature, by insertion of exception clause in section 1-19, intended to exclude from operation of "right to know" statutes exclusive power over admission to bar vested in superior court by section 51-80. 4 Conn. Cir. Ct. 313.

Subsec. (a):

Cited. 213 C. 216. Cited. 217 C. 153. Cited. 218 C. 757. Cited. 221 C. 393. Cited. 230 C. 441.

Cited. 19 CA 352-354; Id., 539,. Cited. 42 CA 402. Cited. 43 CA 133.

Annotations to present section:

Subsec. (a):

Section's open meeting requirements inapplicable to grievance arbitration proceedings. 244 C. 487.

Subsec. (c):

Plain language of subsec. requires that new agenda item, not previously published, may be added to agenda only after an affirmative vote to add that item by two-thirds of the members present and voting. 66 CA 279.

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**Sec. 1-226. (Formerly Sec. 1-21a). Recording, broadcasting or photographing meetings.** (a) At any meeting of a public agency which is open to the public, pursuant to the provisions of section 1-225, proceedings of such public agency may be recorded, photographed, broadcast or recorded for broadcast, subject to such rules as such public agency may have prescribed prior to such meeting, by any person or by any newspaper, radio broadcasting company or television broadcasting company. Any recording, radio, television or photographic equipment may be so located within the meeting room as to permit the recording, broadcasting either by radio, or by television, or by both, or the photographing of the proceedings of such public agency. The photographer or broadcaster and its personnel, or the person recording the proceedings, shall be required to handle the photographing, broadcast or recording as inconspicuously as possible and in such manner as not to disturb the proceedings of the public agency. As used herein the term television shall include the transmission of visual and audible signals by cable.

(b) Any such public agency may adopt rules governing such recording, photography or the use of such broadcasting equipment for radio and television stations but, in the absence of the adoption of such

rules and regulations by such public agency prior to the meeting, such recording, photography or the use of such radio and television equipment shall be permitted as provided in subsection (a) of this section.

(c) Whenever there is a violation or the probability of a violation of subsections (a) and (b) of this section the superior court, or a judge thereof, for the judicial district in which such meeting is taking place shall, upon application made by affidavit that such violation is taking place or that there is reasonable probability that such violation will take place, issue a temporary injunction against any such violation without notice to the adverse party to show cause why such injunction should not be granted and without the plaintiff's giving bond. Any person or public agency so enjoined may immediately appear and be heard by the court or judge granting such injunction with regard to dissolving or modifying the same and, after hearing the parties and upon a determination that such meeting should not be open to the public, said court or judge may dissolve or modify the injunction. Any action taken by a judge upon any such application shall be immediately certified to the court to which such proceedings are returnable.

(1967, P.A. 851, S. 1, 2; 1969, P.A. 706; P.A. 74-183, S. 161, 291; P.A. 75-342, S. 12; P.A. 76-435, S. 24, 82; 76-436, S. 562, 681; P.A. 77-609, S. 5, 8; P.A. 78-280, S. 1, 127; P.A. 05-288, S. 3.)

History: 1969 act added Subsec. (c); P.A. 74-183 changed "circuit court" to "court of common pleas" and "circuit" to "county or judicial district"; P.A. 75-342 amended section to specifically include photography and newspaper coverage of open meetings and cable transmissions; P.A. 76-435 made technical changes; P.A. 76-436 changed "court of common pleas" to "superior court", effective July 1, 1978; P.A. 77-609 allowed recording equipment at open meetings; P.A. 78-280 deleted "county"; Sec. 1-21a transferred to Sec. 1-226 in 1999; P.A. 05-288 made a technical change in Subsec. (b), effective July 13, 2005.

#### Annotations to former section 1-21a:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 182 C. 142. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. Id. FOIA, Freedom of Information Act cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

Subsec. (a):

Cited. 42 CA 402. Parties to a grievance arbitration hearing do not have right pursuant to the section to tape record the proceedings. 43 CA 133.

Annotations to present section:

Subsec. (a):

Section's recording provisions inapplicable to grievance arbitration proceedings. 244 C. 487.

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**Sec. 1-227. (Formerly Sec. 1-21c). Mailing of notice of meetings to persons filing written request. Fees.** The public agency shall, where practicable, give notice by mail of each regular meeting, and of any special meeting which is called, at least one week prior to the date set for the meeting, to any person who has filed a written request for such notice with such body, except that such body may give such notice as it deems practical of special meetings called less than seven days prior to the date set for the meeting. Such notice requirement shall not apply to the General Assembly, either house thereof or to any committee thereof. Any request for notice filed pursuant to this section shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for notice shall be filed within thirty days after January first of each year. Such public agency may establish a reasonable charge for sending such notice based on the estimated cost of providing such service.

(P.A. 75-342, S. 7.)

History: Sec. 1-21c transferred to Sec. 1-227 in 1999.

Annotations to former section 1-21c:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 234; Id., 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Freedom of Information Act (FOIA) cited. 216 C. 253. FOIA, Freedom of Information Act cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Cited. Id., 757. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id.; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482;

Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

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**Sec. 1-228. (Formerly Sec. 1-21d). Adjournment of meetings. Notice.** The public agency may adjourn any regular or special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular meeting the clerk or the secretary of such body may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in section 1-225, for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular or special meeting was held, within twenty-four hours after the time of the adjournment. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings, by ordinance, resolution, by law or other rule.

(P.A. 75-342, S. 8.)

History: Sec. 1-21d transferred to Sec. 1-228 in 1999.

Annotations to former section 1-21d:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Freedom of Information Act (FOIA) cited. 216 C. 253. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA)

cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

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**Sec. 1-229. (Formerly Sec. 1-21e). Continued hearings. Notice.** Any hearing being held, or noticed or ordered to be held, by the public agency at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of such agency in the same manner and to the same extent set forth in section 1-228, for the adjournment of meeting, provided, that if the hearing is continued to a time less than twenty-four hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted on or near the door of the place where the hearing was held immediately following the meeting at which the order or declaration of continuance was adopted or made.

(P.A. 75-342, S. 9.)

History: Sec. 1-21e transferred to Sec. 1-229 in 1999.

Annotations to former section 1-21e:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Freedom of Information Act (FOIA) cited. 216 C. 253. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see



210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

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**Sec. 1-230. (Formerly Sec. 1-21f). Regular meetings to be held pursuant to regulation, ordinance or resolution.** The public agency shall provide by regulation, in the case of a state agency, or by ordinance or resolution in the case of an agency of a political subdivision, the place for holding its regular meetings. If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day. If it shall be unsafe to meet in the place designated, the meetings may be held at such place as is designated by the presiding officer of the public agency; provided a copy of the minutes of any such meeting adequately setting forth the nature of the emergency and the proceedings occurring at such meeting shall be filed with the Secretary of the State or the clerk of the political subdivision, as the case may be, not later than seventy-two hours following the holding of such meeting.

(P.A. 75-342, S. 10.)

History: Sec. 1-21f transferred to Sec. 1-230 in 1999.

Annotations to former section 1-21f:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Freedom of Information Act (FOIA) cited. 216 C. 253. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821.

Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

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**Sec. 1-231. (Formerly Sec. 1-21g). Executive sessions.** (a) At an executive session of a public agency, attendance shall be limited to members of said body and persons invited by said body to present testimony or opinion pertinent to matters before said body provided that such persons' attendance shall be limited to the period for which their presence is necessary to present such testimony or opinion and, provided further, that the minutes of such executive session shall disclose all persons who are in attendance except job applicants who attend for the purpose of being interviewed by such agency.

(b) An executive session may not be convened to receive or discuss oral communications that would otherwise be privileged by the attorney-client relationship if the agency were a nongovernmental entity, unless the executive session is for a purpose explicitly permitted pursuant to subdivision (6) of section 1-200.

(P.A. 75-342, S. 11; P.A. 81-431, S. 5; P.A. 86-226; P.A. 97-47, S. 9.)

History: P.A. 81-431 exempted names of job applicants interviewed during executive session from disclosure; P.A. 86-226 added Subsec. (b) prohibiting convening of executive session to receive or discuss oral communications that would otherwise be privileged by the attorney-client privilege unless session is for a purpose explicitly permitted under Sec. 1-18a(e); P.A. 97-47 made a technical change in Subsec. (b); Sec. 1-21g transferred to Sec. 1-231 in 1999.

Annotations to former section 1-21g:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Freedom of Information Act (FOIA) cited. 216 C. 253. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.



Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

Subsec. (a):

Cited. 34 CA 772. Freedom of Information Act cited. Id.

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**Sec. 1-232. (Formerly Sec. 1-21h). Conduct of meetings.** In the event that any meeting of a public agency is interrupted by any person or group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are wilfully interrupting the meetings, the members of the agency conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit such public agency from establishing a procedure for readmitting an individual or individuals not responsible for wilfully disturbing the meeting.

(P.A. 75-342, S. 13.)

History: Sec. 1-21h transferred to Sec. 1-232 in 1999.

Annotations to former section 1-21h:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646; 212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Freedom of Information Act (FOIA) cited. 216 C. 253. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act

(FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 16 CA 49; 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

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**Secs. 1-233 to 1-239.** Reserved for future use.

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**Sec. 1-240. (Formerly Sec. 1-21k). Penalties.** (a) Any person who wilfully, knowingly and with intent to do so, destroys, mutilates or otherwise disposes of any public record without the approval required under section 1-18 or unless pursuant to chapter 47 or 871, or who alters any public record, shall be guilty of a class A misdemeanor and each such occurrence shall constitute a separate offense.

(b) Any member of any public agency who fails to comply with an order of the Freedom of Information Commission shall be guilty of a class B misdemeanor and each occurrence of failure to comply with such order shall constitute a separate offense.

(P.A. 75-342, S. 16; P.A. 79-631, S. 24, 111; P.A. 82-188, S. 2, 3.)

History: P.A. 79-631 made technical changes; P.A. 82-188 amended Subsec. (a) by adding the exception of records destroyed pursuant to chapter 871; Sec. 1-21k transferred to Sec. 1-240 in 1999.

Annotations to former section 1-21k:

Cited. 174 C. 308. Cited. 181 C. 324. Cited. 184 C. 102. Cited. 190 C. 235. Cited. 192 C. 310. Freedom of Information Act cited. 204 C. 609; 205 C. 767; 206 C. 449; 207 C. 698. Cited. 208 C. 442; 210 C. 590; 212 C. 100. Freedom of Information Act cited. 208 C. 442; 209 C. 204; 210 C. 590; Id., 646;

212 C. 100; 213 C. 126; Id., 216. Freedom of Information Act (FOIA) cited. 214 C. 312. Cited. 216 C. 253. Freedom of Information Act (FOIA) cited. Id. FOIA, Freedom of Information Act, cited. 217 C. 153. Freedom of Information Act (FOIA) cited. Id., 193. Freedom of Information Act cited. 218 C. 256. Freedom of Information Act (FOIA) Sec. 1-18a et seq. cited. Id., 757; 220 C. 225. Freedom of Information Act (FOIA) cited. 221 C. 217; Id., 300; Id., 393. Freedom of Information Act cited. Id., 482; Id., 549. Freedom of Information Act (FOIA) cited. 222 C. 621. Freedom of Information Act (FOIA) cited. 228 C. 158. Freedom of Information Act cited. Id., 271.

Cited. 2 CA 600. Freedom of Information Act cited. 4 CA 468; 14 CA 380; judgment reversed, see 210 C. 646. Freedom of Information Act cited. 19 CA 352; Id., 539; 20 CA 671. Freedom of Information Act (FOIA) cited. 22 CA 316. Freedom of Information Act (FOIA) cited. 29 CA 821. Freedom of Information Act (FOIA) cited. 35 CA 111. Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

Freedom of Information Act cited. 41 CS 31; Id., 267; 42 CS 84; Id., 129; Id., 291.

Subsec. (b):

Cited. 198 C. 498. Cited. 210 C. 646.

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**Sec. 1-241. (Formerly Sec. 1-21f). Injunctive relief from frivolous, unreasonable or harassing freedom of information appeals.** A public agency, as defined in subdivision (1) of section 1-200, may bring an action to the Superior Court against any person who was denied leave by the Freedom of Information Commission to have his appeal heard by the commission under subsection (b) of section 1-206 because the commission determined and found that such appeal or the underlying request would perpetrate an injustice or would constitute an abuse of the commission's administrative process. The action authorized under this section shall be limited to an injunction prohibiting such person from bringing any further appeal to the commission which would perpetrate an injustice or would constitute an abuse of the commission's administrative process. If, after such an injunction is ordered, the person subject to the injunction brings a further appeal to the Freedom of Information Commission and the commission determines that such appeal would perpetrate an injustice or would constitute an abuse of the commission's administrative process, such person shall be conclusively deemed to have violated the injunction and such agency may seek further injunctive and equitable relief, damages, attorney's fees and costs, as the court may order.

(P.A. 93-191, S. 2, 4; P.A. 97-47, S. 14.)

History: P.A. 93-191 effective July 1, 1993; P.A. 97-47 made a technical change; Sec. 1-21/ transferred to Sec. 1-241 in 1999.

Annotation to former section 1-21/:

Freedom of Information Act (FOIA) Sec. 1-15 et seq. cited. 37 CA 589. Freedom of Information Act, Sec. 1-15 et seq. cited. 42 CA 402. Freedom of Information Act cited. 43 CA 133.

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**Sec. 1-242. Actions involving provisions of the Freedom of Information Act. Notice of litigation to the Freedom of Information Commission. Intervention by commission.** (a) In any action involving the assertion that a provision of the Freedom of Information Act has been violated or constitutes a defense, the court to which such action is brought shall make an order requiring the party asserting such violation or defense, as applicable, to provide the Freedom of Information Commission with notice of the action and a copy of the complaint and all pleadings in the action by first-class mail or personal service to the address of the commission's office.

(b) Upon the filing of a verified pleading by the commission, the court to which an action described in subsection (a) of this section is brought may grant the commission's motion to intervene in the action for purposes of participating in any issue involving a provision of the Freedom of Information Act.

(P.A. 04-206, S. 1.)

History: P.A. 04-206 effective June 3, 2004.

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